

COMMITTEE OF THE WHOLE

City of Davenport, Iowa

Wednesday, November 5, 2014; 5:30 PM

Council Chambers, City Hall

I. Moment of Silence

II. Pledge of Allegiance

Ald. Gordon

III. Roll Call

IV. Meeting Protocol and Decorum

V. City Administrator Update

VI. Public Hearings

A. Community Development

1. Public Hearing for the Ordinance for Case No. ROW14-03 being the petition of the City of Davenport for the right-of-way vacation (abandonment) of 0.75 acre, more or less, of property former known as 2nd Street located east of LeClaire Street and south of East 3rd Street; adjacent to the southeast of 227 LeClaire Street. The street pavement was removed a number of years ago due to concerns over traffic movements and miss-turns at the Arsenal Bridge intersection. However, the vacation (abandonment) of the right-of-way status was not properly concluded at that time; this request would correct a procedural error and complete that process. [3rd Ward]
2. Public Hearing for the Ordinance for Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from “A-1” Agricultural District to “R-5M PUD” Medium Density Dwelling District Planned Unit Development to facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative along with eventual attached single family home lots. [6th Ward]

B. Public Works

1. Public hearing on the proposed conveyance of vacated city right-of-way on the north side of the 4000 Block of West Kimberly Road to Spring Auto Sale, LLC, located at 4004 West Kimberly Road, Lot 2.
2. Public hearing on the plans, specifications, forms of contract and estimated cost for the FY2015 Duck Creek Bike Path Resurfacing Program, CIP Project #10513.

3. Public hearing on the plans, specifications, forms of contract and estimated cost for the FY2015 Compost Facility Resurfacing Project, GL Account #51151976-530319.

VII. Presentations

- A. Halloween Parade Awards
Humility of Mary Shelter - Cathy Jordon

VIII. Recess to Standing Committees - DO NOT USE

COMMUNITY DEVELOPMENT

Bill Boom, Chairman; Jason Gordon, Vice Chairman

I. COMMUNITY DEVELOPMENT

1. Third Consideration: An Ordinance for Case No. REZ14-01 being the petition of First Central State Bank for the rezoning of 1.63 acres, more or less, of real property located at 6425 West Kimberly Road from "C-2" General Commercial District to "M-1" Light Industrial District for redevelopment of the property to accommodate a trucking dispatch center and truck parking. [2nd Ward]
2. Second Consideration: An Ordinance for Case No. REZ14-10 being the petition of Naval Station LLC/Richard Davidson for a rezoning of 1.29 acres, more or less, of real property known as 2104 West 6th Street from "R-4" Moderate Density Dwelling District to "R-5M" Medium Density Dwelling District. The rezoning is to facilitate the conversion of a former two-story school building to 18 senior housing apartment units. [3rd Ward]
3. Second Consideration: Ordinance for Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from "A-1" Agricultural District to "R-5M PUD" Medium Density Dwelling District Planned Unit Development to facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative along with eventual attached single family home lots. [6th Ward]
4. First Consideration: Ordinance for Case No. ROW14-03 being the petition of the City of Davenport for the right-of-way vacation (abandonment) of 0.75 acre, more or less, of property former known as 2nd Street located east of LeClaire Street and south of East 3rd Street; adjacent to the southeast of 227 LeClaire Street. The street pavement was removed a number of years ago due to concerns over traffic movements and miss-turns at the Arsenal Bridge intersection. However, the vacation (abandonment) of the right-of-way status was not properly concluded at that time; this request would correct a procedural error and complete that process. [3rd Ward]
5. Third Consideration: Ordinance for Case No. REZ14-09: Petition of Jersey Roads, LC, QC Equity Investments LLC, and Ridges LC to rezone 108.692 Acres, more or less, of real property located north of Veteran's Memorial Parkway, east of Jersey Ridge Road, south of Interstate 80 and west of Interstate 74, from A-1 Agricultural District and R-1, Low Density Dwelling District to PDD – Planned Development District

for the purpose of constructing a casino/entertainment/retail complex. (6th Ward).
NOTE: this item will moved to the Special City Council Meeting to be held immediately after this meeting.

6. Resolution approving Case No. FDP14-04 being the final development plan for the Rhythm City Casino, located north of Veteran's Memorial Parkway and east of Jersey Ridge Road. [6th Ward] **NOTE: this item will moved to the Special City Council Meeting to be held immediately after this meeting.**
7. Resolution approving Case No. P14-02 being the preliminary plat of River 80 First Addition, located north of Veteran's Memorial Parkway and east of Jersey Ridge Road, containing seven lots for commercial and office development. [6th Ward] **NOTE: this item will moved to the Special City Council Meeting to be held immediately after this meeting.**
8. Resolution approving Case No. F14-11 being the final plat of River 80 First Addition, located north of Veteran's Memorial Parkway and east of Jersey Ridge Road, containing seven lots for commercial and office development. [6th Ward] **NOTE: this item will moved to the Special City Council Meeting to be held immediately after this meeting.**

II. Motion Setting Council Agenda for Community Development items

PUBLIC SAFETY

Mike Matson, Chairman; Kerri Tompkins, Vice Chairman

III. PUBLIC SAFETY

1. Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s).
2. Motion approving beer and liquor license applications.

The following applications have been reviewed by the Police, Fire and Zoning Departments.

A. New license, new owner, temporary permit, temporary outdoor area, location transfer, etc. (as noted):

Ward 3

4th Street Spirits (4th Street Spirits LLC) - 1530 W 4th St - License type: E Liquor

B. Annual license renewals (with outdoor area renewals as noted):

Ward 3

Gravy's (Gravy's Bar and Grill Inc.) - 1902 Rockingham Rd - License Type: C Liquor

Danceland (Danceland Ltd) - 501 1/2 W 4th St - License Type: C Liquor

Mac's Tavern (Failte Inc) - 316 W 3rd St - Outdoor Area - License Type: C Liquor

Third Street Bar & Grill (Michael D Hauser) - 831 W 3rd St - Outdoor Area - License Type: C Liquor

Ward 4

Stoeger's Bar and Grill (Stoeger's Inc) - 1520 Washington St - License Type: C Liquor

Stickmans (Stickman's Inc.) - 1510 Harrison St - Outdoor Area - License Type: C Liquor

Ward 6

Buaffalo Wild Wings (Blazin' Wings Inc) - 4860 Utica Ridge Rd - Outdoor Area - License Type: C Liquor

Cafe' Indigo (Cafe' Indigo Inc) - 4925 Utica Ridge Rd - Outdoor Area - License Type: B Wine

Huhot Mongolian Grill (CCW LLC) - 3006 E 53rd St - License Type: B Wine

Ward 7

Ganzo's (Ganzo's Ltd) - 3923 Marquette St - Outdoor Area - License Type: C Liquor

IV. Motion setting Council Agenda for Public Safety items

PUBLIC WORKS

Ray Ambrose, Chairman; Rick Dunn, Vice Chairman

V. PUBLIC WORKS

1. Resolution approving the plans, specifications, forms of contract and estimated cost for the FY2015 Duck Creek Bike Path Resurfacing Project, CIP Project #10513.
2. Resolution authorizing and approving the use of condemnation and commencement of condemnation proceedings associated with the Forest Grove Road Paving Project from Utica Ridge Road to the Bettendorf City Limits, CIP Project #01145.
3. Resolution authorizing and approving the use of condemnation and commencement of condemnation proceedings associated with the Veterans Memorial Parkway Paving Project I-74 to Utica Ridge Road, CIP Project #10556.
4. Resolution authorizing and approving the use of condemnation and commencement of condemnation proceedings for rights of way and easements associated with the Veterans Memorial Parkway Paving Project from Jersey Ridge Road to I-74, CIP Project #02418.

5. Resolution approving the plans, specifications, forms of contract and estimated cost for the FY2015 Compost Facility Resurfacing Project, GL Account #51151976-530319.
6. Resolution authorizing transfer of ownership of vacated city right-of-way, on the north side of the 4000 block of West Kimberly Road, to Spring Auto Sales, LLC located at 4004 West Kimberly Road, Lot 2.
7. Motion approving change order #11 to Swanson Construction in the amount of \$27,561.37 for the Credit Island Lodge Reconstruction Project, CIP Project #10600.
COMMITTEE ACTION ONLY
8. Motion approving the site of a city-owned public safety tower with emergency communication services equipment on it within Junge Park and authorizing the City Administrator or his designee to negotiate and execute any documents related thereto.

VI. Motion setting Council Agenda for Public Works items

FINANCE

Jeff Justin, Chairman; Bill Edmond, Vice Chairman

VII. FINANCE

1. RESOLUTION adopting the FY 2016 Budget Policies
2. Resolution adopting the Internal Revenue Service per diem rate for employee travel.
3. Resolution of acceptance for the construction of the Creative Arts Academy of the Quad Cities at the Davenport Public Library Main Street Branch completed by Estes Company of Davenport, IA for the Davenport Community School District; CIP Project #10212.
4. Resolution approving the purchase agreement for the acquisition of Parcel Number Y0639-19F also referred to as Jersey Farms 11th Addition and authorizing the City Administrator to sign the same. **This item will be acted upon during a Special City Council meeting immediately following the Committee of the Whole meeting..**
5. Motion approving policies and terms of use related to Davenporttoday web site.
6. Motion approving submission of the City of Davenport's Annual Urban Renewal Report.
7. MOTION awarding the purchase of a utility vehicle (Tool Cat) to Rexco Equipment of Davenport, IA in the amount of \$52,290.96.

VIII. Motion setting Council Agenda for Finance items

IX. PURCHASES OF \$10,000 TO \$50,000 (For Information Only)

Duke's Root Control, Inc. - Root control chemicals for sanitary sewer lines - Amount: \$43,570

Hydraulic Mudpumps, Inc. - Used mudjacking equipment - Amount: \$31,748

W.F. Scott Decorating, Inc. - Painting skywalk over East Third Street - Amount: \$21,000

Martin Equipment of IA-IL - Snow plow blades - Amount: \$11,932

X. Other Ordinances, Resolutions and Motions

XI. Approval of Discussion and Consent Agenda

XII. Public with Business

XIII. Reports of City Officials

XIV. Adjourn

City of Davenport

Committee:
Department:
Contact Info:
Wards:

Action / Date

Subject:
Ald. Gordon

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	11/5/2014 - 9:28 AM

City of Davenport

Committee: Community Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 3rd

Action / Date
CD11/5/2014

Subject:

Public Hearing for the Ordinance for Case No. ROW14-03 being the petition of the City of Davenport for the right-of-way vacation (abandonment) of 0.75 acre, more or less, of property former known as 2nd Street located east of LeClaire Street and south of East 3rd Street; adjacent to the southeast of 227 LeClaire Street. The street pavement was removed a number of years ago due to concerns over traffic movements and miss-turns at the Arsenal Bridge intersection. However, the vacation (abandonment) of the right-of-way status was not properly concluded at that time; this request would correct a procedural error and complete that process. [3rd Ward]

Recommendation:

Findings:

- The street pavement has already been removed.
- The City previously attempted the vacation but did not follow proper procedure.

Recommendation: The City Plan and Zoning Commission accepted the listed finding and forwards Case No. ROW14-03 to the City Council for approval subject to the following:

1. That utility easements be retained until such time as development causes the abandonment and/or relocation of services (this includes electric and storm and sanitary sewer services).

The Commission vote was 7-yes and 0-no with 0-abstention.

Relationship to Goals:

Neighborhood Improvement

Background:

The petitioner is proposing the vacation (abandonment) to correct a procedural error by the Public Works Department. The street pavement was removed a number of years ago due to concerns over traffic movements and miss-turns at the Arsenal Bridge intersection.

ATTACHMENTS:

Type	Description
□ Cover Memo	ROW14-03_CC PH Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/28/2014 - 5:45 PM
Community Development Committee	Berger, Bruce	Approved	10/28/2014 - 5:45 PM
City Clerk	Admin, Default	Approved	10/29/2014 - 9:24 AM

TO BE PUBLISHED IN THE OCTOBER 29, 2014 ADDITION OF THE QUAD CITY TIMES, HAVING THE NOTICE BILLED TO PO# 1506150 AND RECEIVING THE PROOF OF PUBLICATION PRIOR TO THE PUBLIC HEARING

TO WHOM IT MAY CONCERN:

There is on file in the Community Planning and Economic Development Department of the City of Davenport, the following petitions:

Case No. ROW14-03 being the petition of the City of Davenport for the right-of-way vacation (abandonment) of 0.75 acre, more or less, of property former known as 2nd Street located east of LeClaire Street and south of East 3rd Street; adjacent to the southeast of 227 LeClaire Street. The street pavement was removed a number of years ago due to concerns over traffic movements and miss-turns at the Arsenal Bridge intersection. However, the vacation (abandonment) of the right-of-way status was not properly concluded at that time; this request would correct a procedural error and complete that process. [3rd Ward]

The property has the following legal description:

Part of the Northwest Quarter of Section 36 - Township 78 North – Range 3 East of the 5th P.M. being more particularly described as follows:

Commencing at the Northwest Corner of Lot 10, Block 75 of LeClaire's 6th Addition to the City of Davenport, Iowa; Thence S00°-00'-00"E along the Westerly line of Block 75 of said LeClaire's 6th Addition and the present Easterly Right of Way line of LeClaire Street a distance of 281.99 feet to the present Northerly Right of Way line of E. 2nd Street and the Point of Beginning; Thence S89°-23'-49"E along the present Northerly Right of Way line of said E. 2nd Street a distance of 60.80 feet; Thence N58°-23'-49"E along the present Northerly Right of Way line of said E. 2nd Street a distance of 398.15 feet; Thence N00°-12'-26"W along the present Northerly Right of Way line of said E. 2nd Street a distance of 11.29 feet; Thence N58°-25'-29"E along the present Northerly Right of Way line of said E. 2nd Street a distance of 62.97 feet; Thence N00°-08'-14"W along the present Northerly Right of Way line of said E. 2nd Street a distance of 25.04 to the intersection with the Southerly Right of Way line of E. 3rd Street; Thence S44°-00'-35"E along the new Southerly Right of Way line of said E. 3rd Street a distance of 23.71 feet to the intersection with the New Northerly Right of Way line of E. River Drive; Thence in a Southwesterly direction along the arc of a curve concave Southeasterly with a radius of 1300 feet, with a chord bearing of S43°-19'-02"W and a chord distance of 193.20 feet, for a distance of 193.38 feet said arc being the new Northerly Right of Way line of said E. River Drive; Thence S44°-26'-11"W along the new Northerly Right of Way line of said E. River Drive a distance of 72.73 feet; Thence S58°-23'-49"W along the new Northerly Right of Way line of said E. River Drive a distance of 299.42 feet to the intersection with the new Easterly Right of Way line of said LeClaire Street; Thence N31°-35'-58"W along the new Easterly Right of Way line of said LeClaire Street a distance of 60.00 feet to the Southwest corner of Lot 1, Block 75 of said LeClaire's 6th Addition; Thence N00°-00'-00"W along the Westerly line of Lot 1, Block 10 of said

LeClaire's 6th Addition and the present Easterly Right of Way line of said LeClaire Street a distance of 38.05 feet to the Point of Beginning.

Subject to utility easements over and across said Tract No. 1 until such time as they are abandoned or relocated.

The above described tract of land contains 26,505 sq. ft., more or less.

Note: The present Easterly Right of Way line of LeClaire Street and the Westerly line of Block 75 of said LeClaire's 6th Addition has a platted Bearing of S00°-00'-00"E and is used for the purpose of this description.

The City Plan and Zoning Commission accepted the listed finding and forwards Case No. ROW14-03 to the City Council for approval subject to the following:

1. That utility easements be retained until such time as development causes the abandonment and/or relocation of services (this includes electric and storm and sanitary sewer services).

A public hearing on this ordinance will be held before the Committee of the Whole in the Council Chambers, City Hall, Davenport, Iowa on Wednesday, November 05, 2014 at 5:30 p.m. At the hearing interested parties may appear and be heard regarding the proposed ordinances. PO# 1506150

Department of Community Planning & Economic Development

Phone: (563) 326-7765

Email: planning@ci.davenport.ia.us

City of Davenport

Committee: Community Development
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 6th

Action / Date
CD11/5/2014

Subject:

Public Hearing for the Ordinance for Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from “A-1” Agricultural District to “R-5M PUD” Medium Density Dwelling District Planned Unit Development to facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative along with eventual attached single family home lots. [6th Ward]

Recommendation:

Findings:

- The proposal utilizes the last undeveloped parcel along this segment of Crow Creek Road.
- The proposal transitions between the more intensive commercial development within Utica Corners and the residential to the south.
- The proposal is in conformance with Davenport 2025: A Comprehensive Plan for the City.

The City Plan and Zoning Commission accepts the findings and forwards Case No. REZ14-11 to the City Council subject to the following conditions:

1. Access to Crow Creek Road should be limited to the existing median cross over locations;
2. The existing storm water detention ponds must either be protected or relocated along with the construction of any additional stormwater requirements needed for new development.

Relationship to Goals:

Neighborhood Improvement

Background:

The petitioner is proposing the rezoning to develop the last remaining open parcel along Crow Creek Road between Utica Ridge Road and Devils Glen Road. The proposal would facilitate development of a 61-unit, four-story, owner-occupied senior housing cooperative. The remaining property would eventually be developed with attached single family home lots.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
Backup Material	PH_CD_REZ14-11_CC PH Notice

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/28/2014 - 5:55 PM
Community Development Committee	Berger, Bruce	Approved	10/28/2014 - 5:55 PM
City Clerk	Admin, Default	Approved	10/29/2014 - 9:24 AM

TO BE PUBLISHED IN THE OCTOBER 29, 2014 ADDITION OF THE QUAD CITY TIMES, HAVING THE NOTICE BILLED TO PO# 1506150 AND RECEIVING THE PROOF OF PUBLICATION PRIOR TO THE PUBLIC HEARING

TO WHOM IT MAY CONCERN:

There is on file in the Community Planning and Economic Development Department of the City of Davenport, the following petitions:

Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from "A-1" Agricultural District to "R-5M PUD" Medium Density Dwelling District Planned Unit Development to facilitate the development of a 61- unit, four-story, owner-occupied senior housing cooperative along with eventual attached single family home lots.

The property has the following legal description:

Part of the Southeast Quarter of Section 8- Township 78 North – Range 4 East of the 5th P.M. being more particularly described as follows:

Beginning at the Southeasterly Corner of Outlot B of Utica Corners 7th Subdivision; thence South 02° 30' 26" East 442.02 Feet along the Westerly Line of Coventry Third Addition to the Northerly right-of-way line of Crow Creek Road; thence South 87° 43' 15" West 748.78 Feet along the said Northerly right-of-way line of Crow Creek Road; thence North 02° 16' 44" West 441.81 Feet to the Southerly Line of Utica Corners 2nd Subdivision; thence North 87° 42' 18" East 747.02 Feet along the Southerly Line of Utica Corners 2nd, 6th and 7th Subdivisions to the said Southeasterly Corner of Outlot B of Utica Corners 7th Subdivision and the Westerly Line of Coventry Third Addition and the Point of Beginning. This parcel contains 7.587 acres, more or less. (For the purposes of this description the Westerly Line of Coventry Third Addition is assumed to bear South 02° 30' 26" East).

The City Plan and Zoning Commission accepted the findings and forwards Case No. REZ14-11 to the City Council for approval subject to the following conditions:

1. Access to Crow Creek Road should be limited to the existing median cross over locations.
2. The existing storm water detention ponds must either be protected or relocated along with the construction of any additional stormwater requirements needed for new development.

A public hearing on this ordinance will be held before the Committee of the Whole in the Council Chambers, City Hall, Davenport, Iowa on Wednesday, November 05, 2014 at 5:30 p.m. At the hearing interested parties may appear and be heard regarding the proposed ordinances. PO# 1506150

Department of Community Planning & Economic Development

Phone: (563) 326-7765

Email: planning@ci.davenport.ia.us

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Mike Atchley; (563) 327-5149
Wards: 2

Action / Date
PW11/5/2014

Subject:

Public hearing on the proposed conveyance of vacated city right-of-way on the north side of the 4000 Block of West Kimberly Road to Spring Auto Sale, LLC, located at 4004 West Kimberly Road, Lot 2.

Recommendation:

Conduct the public hearing.

Relationship to Goals:

Financially Responsible City Government.

Background:

The petitioner is seeking ownership of city right-of-way that was vacated by council resolution July 2, 2014. The 3,147 square feet of vacated right-of-way is located on the north side of the 4000 Block of West Kimberly Road. The parcel adjacent to it on two sides is currently developed with an automotive sales facility. Obtaining ownership would allow the petitioner to expand the business. When vacating the right-of-way, notices were sent to property owners within 200 feet of the subject property prior to the Planning and Zoning Commission and City Council public hearings. No protests were submitted.

The petitioner proposes to acquire the property from the City of \$1 and pay recording cost. Their intent is to use the property to expand the business.

ATTACHMENTS:

Type	Description
Backup Material	PW_PH SMART AUTO LLC

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/29/2014 - 3:11 PM
Public Works Committee	Lechvar, Gina	Approved	10/29/2014 - 3:12 PM
City Clerk	Admin, Default	Approved	10/29/2014 - 3:20 PM

Notice of Hearing

On a Resolution Regarding the Conveyance of Vacated City Right-of-Way

Notice is hereby given that at 5:30 P.M., on Wednesday, November 5, 2014, at the Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a hearing on a RESOLUTION conveying one parcel of city vacated right-of-way located adjacent to 4004 W. Kimberly Road Lot 2 (Spring Auto Sale, LLC Petitioner). The property has the following legal description:

Part of the Northeast Quarter of Section 17, Township 78 North, Range 3 East of the 5th Principle Meridian, being more particularly described as follows:

Commencing at a point, which is the intersection of the west line of Lot 1 and Lot 2 of Williams First Addition to the City of Davenport as extended southwesterly and the West Kimberly Road (U.S. Highway 6) right of way as it currently exists, also being the Point the Beginning, thence North 43 degrees, 53 ¼ Minutes East 54.5 feet along said extended Lot Line of Lot 1 and Lot 2, thence southeasterly 57.2 feet along a 3699.7 foot radius curve, concave northeasterly, and having a chord bearing South 46 degrees 51 ½ Minutes East 57.2 feet, thence South 42 Degrees 42 Minutes West 54.5 Feet to the West Kimberly Road (U.S. Highway 6) right of way, thence Northwesterly 58.3 feet along the West Kimberly Road (U.S. Highway 6) right of way being a 3754.2 foot radius curve, concave northeasterly, and having a chord bearing North 46 Degrees 51 ½ Minutes West 58.3 feet to the Point of Beginning, containing 3147 square feet, more or less.

At said hearing any interested person may file written objection or comments with respect to the proposed conveyance of above said vacated right-of-way.

Jackie E. Holecek
Deputy City Clerk

Davenport, Iowa
October, 21, 2014

Publish once October 30, 2014
QUAD-CITY TIMES

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Nick Schmuecker; (563) 327-5162
Wards: 1 & 2

Action / Date
PW11/5/2014

Subject:

Public hearing on the plans, specifications, forms of contract and estimated cost for the FY2015 Duck Creek Bike Path Resurfacing Program, CIP Project #10513.

Recommendation:

Hold the hearing.

Relationship to Goals:

Upgraded City Infrastructure and Public Facilities.

Background:

To achieve optimum pricing, the Compost Facility Resurfacing Project is to be jointly bid with the Duck Creek Bike Path Resurfacing Project. The Duck Creek Bike Path Project will repair a deteriorated section of the path between Emeis Park and east of Hickory Grove Rd. A two-inch overlay will restore a level surface free of tripping hazards and drainage issues. Two foot wide granular shoulders will provide pedestrian friendly transitions. Non-ADA compliant curbs along the path will be reconstructed to become compliant. Mainline path will receive a centerline to separate two-way traffic. The projects are scheduled to be bid this winter with construction completed by July 1, 2015. Funding for the Duck Creek Bike Path is established within the CIP #10513. The current estimate is \$190,000.

ATTACHMENTS:

Type	Description
Backup Material	PH_NOTICE_DUCKCREEK

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering		Approved	10/30/2014 - 12:03 PM
Public Works Committee	Admin, Default	Approved	10/30/2014 - 2:55 PM
City Clerk	Holecek, Jackie	Approved	10/30/2014 - 2:59 PM

Notice of Hearing
on Proposed Plans, Specifications and Proposed Contract for the
Duck Creek Bike Path and Compost Facility Resurfacing

Notice is hereby given that at 5:30 P.M., on Wednesday, November 5, 2014, at the Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a hearing on the proposed plans, specifications and form of contract which the City Council has caused to be filed with the City Clerk of the City of Davenport, Iowa, and on the cost and necessity of the above project in the City of Davenport, Iowa.

At said hearing any interested person may file written objection or comments with respect to the proposed plans, specifications, form of contract or cost of and necessity for such improvements and may be heard orally with respect thereto.

Jackie E. Holecek,
Deputy City Clerk

Davenport, Iowa
October 17, 2014

Publish once October 30, 2014
QUAD-CITY TIMES

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Nick Schmuecker; (563) 327-5162
Wards: 1 & 2

Action / Date
PW11/5/2014

Subject:

Public hearing on the plans, specifications, forms of contract and estimated cost for the FY2015 Compost Facility Resurfacing Project, GL Account #51151976-530319.

Recommendation:

Hold the hearing.

Relationship to Goals:

Upgraded City Infrastructure and Public Facilities.

Background:

To achieve optimum pricing, the Compost Facility Resurfacing Project is to be jointly bid with the Duck Creek Bike Path Resurfacing Project. The Compost Facility Resurfacing will include the area under the canopy and a large exterior portion. The deteriorating asphalt surfacing is in need of repair. A two-inch overlay will provide a long term surface repair that is resistant to heavy equipment, chemical attack, and the general abuse a surface in this environment must undergo. The project is scheduled to be bid this winter with construction completed by July 1, 2015. Funding for the Compost Facility Resurfacing is established within the annual operating budget of the Compost Facility, GL Account #51151976-530319. The current estimate is \$95,000.

ATTACHMENTS:

Type	Description
Backup Material	PH_NOTICE_COMPOST

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/30/2014 - 12:30 PM
Public Works Committee	Admin, Default	Approved	10/30/2014 - 2:54 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 2:54 PM

Notice of Hearing
on Proposed Plans, Specifications and Proposed Contract for the
Duck Creek Bike Path and Compost Facility Resurfacing

Notice is hereby given that at 5:30 P.M., on Wednesday, November 5, 2014, at the Council Chambers, City Hall, in the City of Davenport, Iowa, there will be conducted a hearing on the proposed plans, specifications and form of contract which the City Council has caused to be filed with the City Clerk of the City of Davenport, Iowa, and on the cost and necessity of the above project in the City of Davenport, Iowa.

At said hearing any interested person may file written objection or comments with respect to the proposed plans, specifications, form of contract or cost of and necessity for such improvements and may be heard orally with respect thereto.

Jackie E. Holecek,
Deputy City Clerk

Davenport, Iowa
October 17, 2014

Publish once October 30, 2014
QUAD-CITY TIMES

City of Davenport

Committee: Committee of the Whole
Department: Administration
Contact Info: Jackie Holecek x6163
Wards: All

Action / Date
11/5/2014

Subject:
Halloween Parade Awards
Humility of Mary Shelter - Cathy Jordon

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	11/3/2014 - 3:09 PM

City of Davenport

Committee: Community Development
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 563-326-7741
Wards: 2

Action / Date
CC 210/15/2014

Subject:

Third Consideration: An Ordinance for Case No. REZ14-01 being the petition of First Central State Bank for the rezoning of 1.63 acres, more or less, of real property located at 6425 West Kimberly Road from "C-2" General Commercial District to "M-1" Light Industrial District for redevelopment of the property to accommodate a trucking dispatch center and truck parking. [2nd Ward]

Recommendation:

The City Plan and Zoning Commission finds that:

- the rezoning will reduce the number of under occupied, abandoned, or vacant buildings/properties through adaptive reuse
- the rezoning will increase the number of mixed-use neighborhoods and districts

The City Plan and Zoning Commission accepted the listed findings and forwards Case No. REZ14-01 to the City Council for approval with the following conditions:

1. No trucks shall be allowed to idle between 10:00 PM and 7:00 AM; and
2. A site plan shall be reviewed and approved by Community Planning for a continuous screen row of evergreen trees which shall be planted along the southern property line where the subject property abuts "A-1" zoned land (this requirement shall block access to the western portion of land which is being purchased by the petitioner but not subject to this rezoning).

The Commission vote was 8-yes and 1-no (with no abstention).

THE PROTEST RATE IS 16.2%.

Relationship to Goals:

Relationship to Goals:

- a) reduce the number of under occupied, abandoned, or vacant buildings/properties through adaptive reuse
- d) increase the number of mixed-use neighborhoods and districts

Background:

The petitioner is proposing the rezoning to accommodate a trucking dispatch center and truck parking.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
▣ Ordinance	REZ14-01 Ordinance
▣ Backup Material	REZ14-01 Ordinance background material

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/28/2014 - 5:36 PM
Community Development	Berger, Bruce	Approved	10/28/2014 - 5:36 PM

Committee
City Clerk

Admin, Default

Approved

10/29/2014 - 9:23 AM

ORDINANCE NO.

An ORDINANCE (Case No REZ14-01) for the rezoning of 1.63 acre, more or less, of real property located at 6425 West Kimberly Road from "C-2" General Commercial District to "M-1" Light Industrial District for redevelopment of the property to accommodate a trucking dispatch center and truck parking. [2nd Ward]

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:
Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned. The property has the following legal description:

Lot 2 in Fennelly's 1st Addition to the City of Davenport, Scott County, Iowa. This parcel contains 33,627 square feet (1.63 acres), more or less.

The City Plan and Zoning Commission accepted the listed findings and forwards Case No. REZ14-01 to the City Council for approval with the following conditions:

1. No trucks shall be allowed to idle between 10:00 PM and 7:00 AM; and
2. A site plan shall be reviewed and approved by Community Planning for a continuous screen row of evergreen trees which shall be planted along the southern property line where the subject property abuts "A-1" zoned land (this requirement shall block access to the western portion of land which is being purchased by the petitioner but not subject to this rezoning).

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____
Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

September 17, 2014

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801

Honorable Mayor and City Council:

At its regular meeting of September 16, 2014, the City Plan and Zoning Commission considered Case No. REZ14-01, Petition of First Central State Bank for the rezoning of 1.63 acres, more or less, of real property located at 6425 West Kimberly Road from "C-2" General Commercial District to "M-1" Light Industrial District for redevelopment of the property to accommodate trucking dispatch center and truck parking.

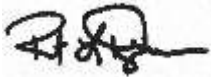
The City Plan and Zoning Commission adopted the following staff findings as the findings of the Commission:

- the rezoning will reduce the number of under occupied, abandoned, or vacant buildings/properties through adaptive reuse
- the rezoning will increase the number of mixed-use neighborhoods and districts

By a roll call vote of 8-yes, 1-no, and 0-abstain, the City Plan and Zoning Commission forwards Case No. REZ14-01 to the City Council with a recommendation of approval of the request subject to the following conditions:

1. No trucks shall be allowed to operate/idle between 10:00 PM and 7:00 AM; and
2. A site plan shall be reviewed and approved by Community Planning for a continuous screen row of evergreen trees which shall be planted along the southern property line where the subject property abuts "A-1" zoned land (this requirement shall block access to the western portion of land which is being purchased by the petitioner but not subject to this rezoning).

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	TABLED						
Name:	Roll Call	REZ14-01 6425 W KIMBERLY RD	REZ14-08 3616 W KIMBERLY RD						
Cartee	P	Y	Y						
Connell	P	Y	Y						
D'Autremont	P	Y	Y						
Elgatian	EX	N	Y						
Gere	P	Y	Y						
Inghram	P								
Kelling	P	Y	Y						
Lammers	P	Y	Y						
Martin	P	Y	Y						
Martinez	P	Y	Y						
Tallman	P	Y	Y						
		8-YES 1-NO 0-ABSTAIN	9-YES 0-NO 0-ABSTAIN						



PLAN AND ZONING COMMISSION

Hearing Date: September 16, 2014
Request: Rezoning: "C-2" to "M-1"
Location: 6425 W Kimberly Rd
Case No.: REZ14-01
Applicant: First Central State Bank

Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No. REZ14-01 to the City Council for approval with the conditions listed in this report.

Request:

Petition of First Central State Bank for the rezoning of 1.63 acres, more or less, of real property located at 6425 West Kimberly Road from "C-2" General Commercial District to "M-1" Light Industrial District for redevelopment of the property to accommodate trucking dispatch center and truck parking.



AREA CHARACTERISTICS:

Zoning Map



Davenport 2025 Proposed Land Use Map



Background:

Comprehensive Plan:

Within Urban Service Area: No (it is in the 2025 Urban Services area)

Proposed Land Use Designation:

Residential Limited Neighborhood (RL) designates neighborhoods that are composed of primarily residential uses; commercial and other uses are generally prohibited. These uses are commonly "stand-alone" subdivisions or neighborhoods. Some RL neighborhoods are close or adjacent to commercial (and other neighborhood) land uses, but are separated by a natural or infrastructure barrier. Additionally, neighborhoods are typically designated as a whole. For all Residential land use classifications, *Davenport 2025* encourages the creation of neighborhood planning documents to guide development appropriate for each neighborhood.

This site is not residential, but exists as a commercial site and is part of a light industrial/commercial area along the West Kimberly corridor which is separated from residential dwellings located along West 60th Street. The homes along West 60th Street are in Linn's Subdivision which was subdivided in 1950's. The area was annexed into the City of Davenport in 1959.

Relevant Goals to be considered in this Case:

Strengthen the built environment

- a) reduce the number of under occupied, abandoned, or vacant buildings/properties through adaptive reuse
- d) increase the number of mixed-use neighborhoods and districts

Iowa Smart Planning Principles:

Relevant Iowa Smart Planning Principles which may be considered when reviewing this case:

Revitalization

Remediation and reuse of existing sites, structures, and infrastructure is preferred over new construction in undeveloped areas.

Technical Review:

Streets. The property utilizes the existing street pattern.

Storm Water. Storm water collection is supplied for this property. Should any ground disturbance occur, the property owner would be subject to all applicable codes including but not limited to Site Plan Review and land disturbance permits as required by the State and Davenport DNR Offices.

Sanitary Sewer. Sanitary sewer services are not provided for this property. No changes are proposed.

Other Utilities. This area does have access to water and electric utility services.

Emergency Services. The property is located approximately 3 miles from Fire Station #7 at 2302 W 67th Street.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

PUBLIC INPUT

Notices have been sent to the owners of the twelve (12) surrounding properties. Three responses to the request have been submitted in opposition to the request (14.2% protest).

DISCUSSION

Given the rezoning history of industrial/commercial development in this area (the existing industrial and commercial zoning dates back to 1985 and earlier), it is clear that the Council over time has approved commercial and industrial uses along this section of West Kimberly Road.

The proposed land use map designates this area as *Residential Limited Neighborhood* (RL) which primarily (but not exclusively) allows for residential uses, and indicates that other uses may occur in these areas where separated by natural or infrastructure barriers. Given these allowances and the existence of commercial and industrial uses in this area, the proposed use does not warrant a change to the *Davenport 2025* - Proposed Land Use Map.

Teo's Trucking will use the site as a dispatch center for the seven refrigeration trailers in their fleet.

Other uses on the site would include light maintenance of the trucks and trailers, and parking of the trailers when they are not in use. All of the trailers in the fleet are refrigeration trailers ('refer' trailers). All of the trailers are newer models which have a 'whisper' technology which limits the noise generated from these units to 65 decibels or less, which is slightly louder than a conversation at three feet away.

Sound sources (noise) Examples with distance	Sound pressure Level L_p dB SPL
Jet aircraft, 50 m away	140
Threshold of pain	130
Threshold of discomfort	120
Chainsaw, 1 m distance	110
Disco, 1 m from speaker	100
Diesel truck, 10 m away	90
Kerbside of busy road, 5 m	80
Vacuum cleaner, distance 1 m	70
Conversational speech, 1 m	60
Average home	50
Quiet library	40
Quiet bedroom at night	30
Background in TV studio	20
Rustling leaves in the distance	10
Hearing threshold	0

Findings:

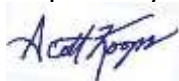
- the rezoning will reduce the number of under occupied, abandoned, or vacant buildings/properties through adaptive reuse
- the rezoning will increase the number of mixed-use neighborhoods and districts

Staff Recommendation:

Staff recommends the City Plan and Zoning Commission forward Case No. REZ14-01 to the City Council for approval with the following conditions:

1. No trucks or refrigeration units shall be allowed to operate/idle between 10:00 PM and 7:00 AM; and
2. A site plan shall be reviewed and approved by Community Planning for a continuous screen row of evergreen trees which shall be planted along the southern property line where the subject property abuts "A-1" zoned land (this requirement shall block access to the western portion of land which is being purchased by the petitioner but not subject to this rezoning).

Prepared by:



Scott Koops, AICP, Planner II

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – SEPTEMBER 2, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. REZ14-01: Petition of Pastrnak Law Firm for the rezoning of 1.63 acres, more or less, of real property located at 6425 West Kimberly Road from "C-2" General Commercial District to "M-1" Light Industrial District for redevelopment of the property to accommodate a truck dispatch center and parking facility.

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday SEPTEMBER 2, 2014** in the **Council Chambers of Davenport City Hall at 226 West 4th Street,** Davenport, Iowa.

This public hearing is the first step in the review/approval process. The City plan and Zoning Commission will then consider the petition at its regular meeting on Tuesday September 16, 2014. The Commission's report and recommendation will then be forwarded to the City Council. The City Council will then hold its own public hearing, as required by state law. You should also receive a notice of the City Council's public hearing. For the ordinance to be approved, it must be read/considered at three (3) separate City Council meetings. For the specific dates and times of subsequent meetings, please call the phone number below.

It is your privilege to submit written/emaile comments on this petition and/or to attend the public hearing to express your views. All protests within the 200 foot notice area or the area being considered must be emailed or in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of Land Use Regulations, City Hall, not later that 12:00 noon, on the day of the public hearing, though protests may be received through the City Council's public hearing.

Community Planning & Economic Development
Phone: (563) 326-7765 **Email: planning@ci.davenport.ia.us**

The undersigned – **opposes / does not oppose (circle one)** the petition of REZ14-01

Comments: _____

Email to **planning@ci.davenport.ia.us** or Mail to:

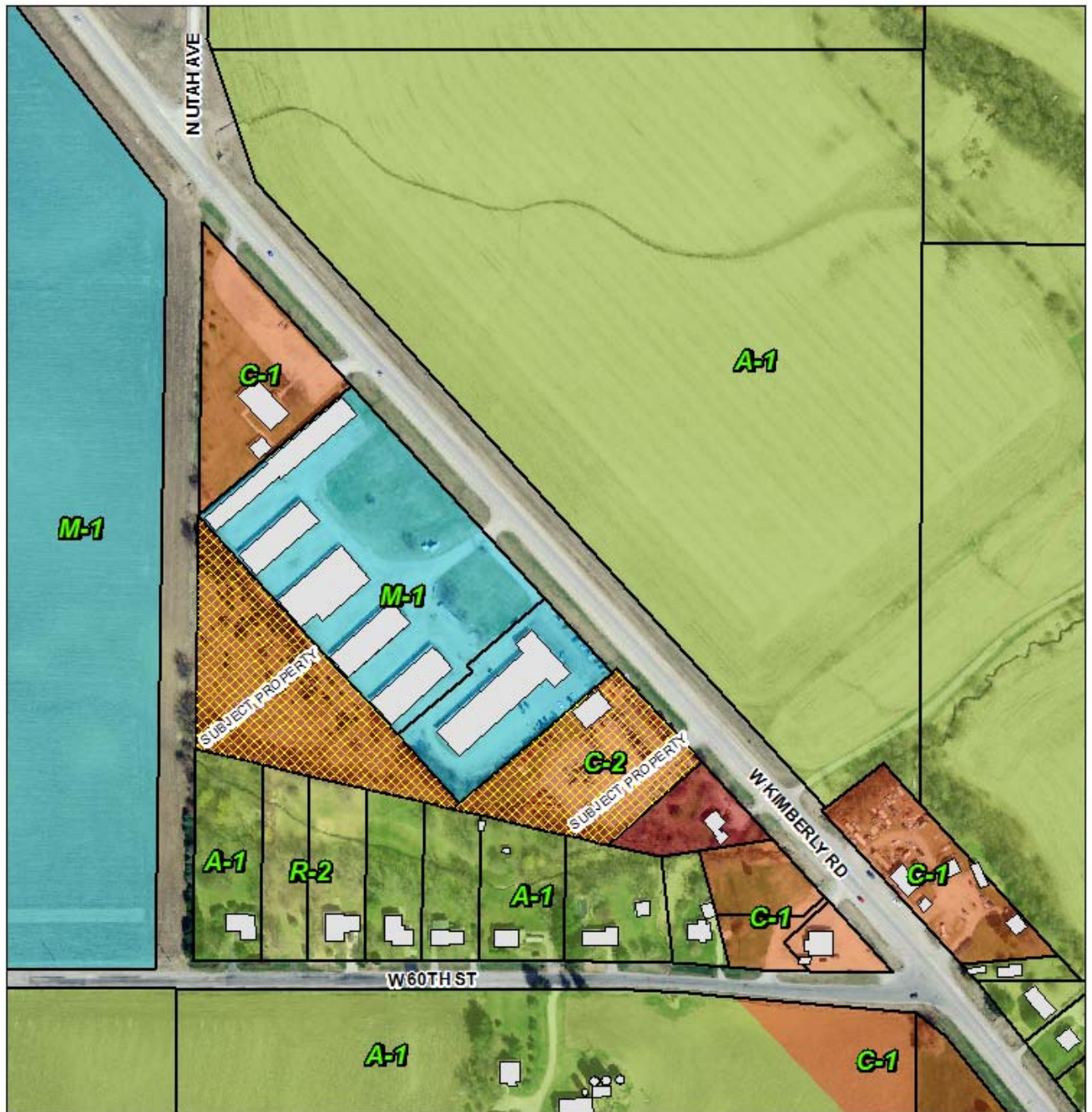
Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

(please write legibly)

ADDRESS OF PROPERTY IN NOTICE AREA *IF OTHER THAN MAILING ADDRESS*

Zoning Map



**Davenport 2025 Proposed Land Use
Map**



PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY -- SEPTEMBER 2, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET - DAVENPORT, IOWA

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Community Planning & Economic Development
Phone: (563) 326-7765 Email: planning@ci.davenport.ia.us

The undersigned - opposes / does not oppose (circle one) the petition of REZ14-01

Comments: I oppose do to large trucks coming and going
at all times and also the building of a house with the only
to drive to it would be to drive along our back yard.

Email to planning@ci.davenport.ia.us or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Shirley M Woolson
ADDRESS 6530 west 60th St Dav.
DATE 8-29-14
(please write legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – SEPTEMBER 2, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Case No. REZ14-01: Petition of Pastrnak Law Firm for the rezoning of 1.63 acres, more or less, of real property located at 6425 West Kimberly Road from "C-2" General Commercial District to "M-1" Light Industrial District for redevelopment of the property to accommodate a truck dispatch center and parking facility.

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Community Planning & Economic Development
Phone: (563) 326-7765 Email: planning@ci.davenport.ia.us

The undersigned opposes / does not oppose (circle one) the petition of REZ14-01

Comments: We had a good meeting and I fully understand the rezoning request. However, we remain opposed.

Trucks coming & going and the potential of a residence with traffic going along our back yard goes against all the reasons we bought our property in the first place.

Email to planning@ci.davenport.ia.us or Mail to:

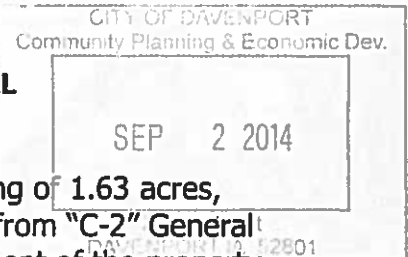
Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Larry & Kay Hendershot
ADDRESS 6520 W. 160th St.
DATE Davenport 8-28-14
(please write legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

It seems to us that there are other options for this property that would not require rezoning.

PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – SEPTEMBER 2, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA



Case No. REZ14-01: Petition of Pastrnak Law Firm for the rezoning of 1.63 acres, more or less, of real property located at 6425 West Kimberly Road from "C-2" General Commercial District to "M-1" Light Industrial District for redevelopment of the property to accommodate a truck dispatch center and parking facility.

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Community Planning & Economic Development
Phone: (563) 326-7765 Email: planning@ci.davenport.ia.us

The undersigned opposes **does not oppose (circle one)** the petition of REZ14-01

Comments: _____

Email to planning@ci.davenport.ia.us or Mail to:

Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

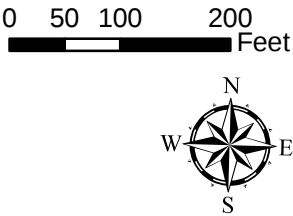
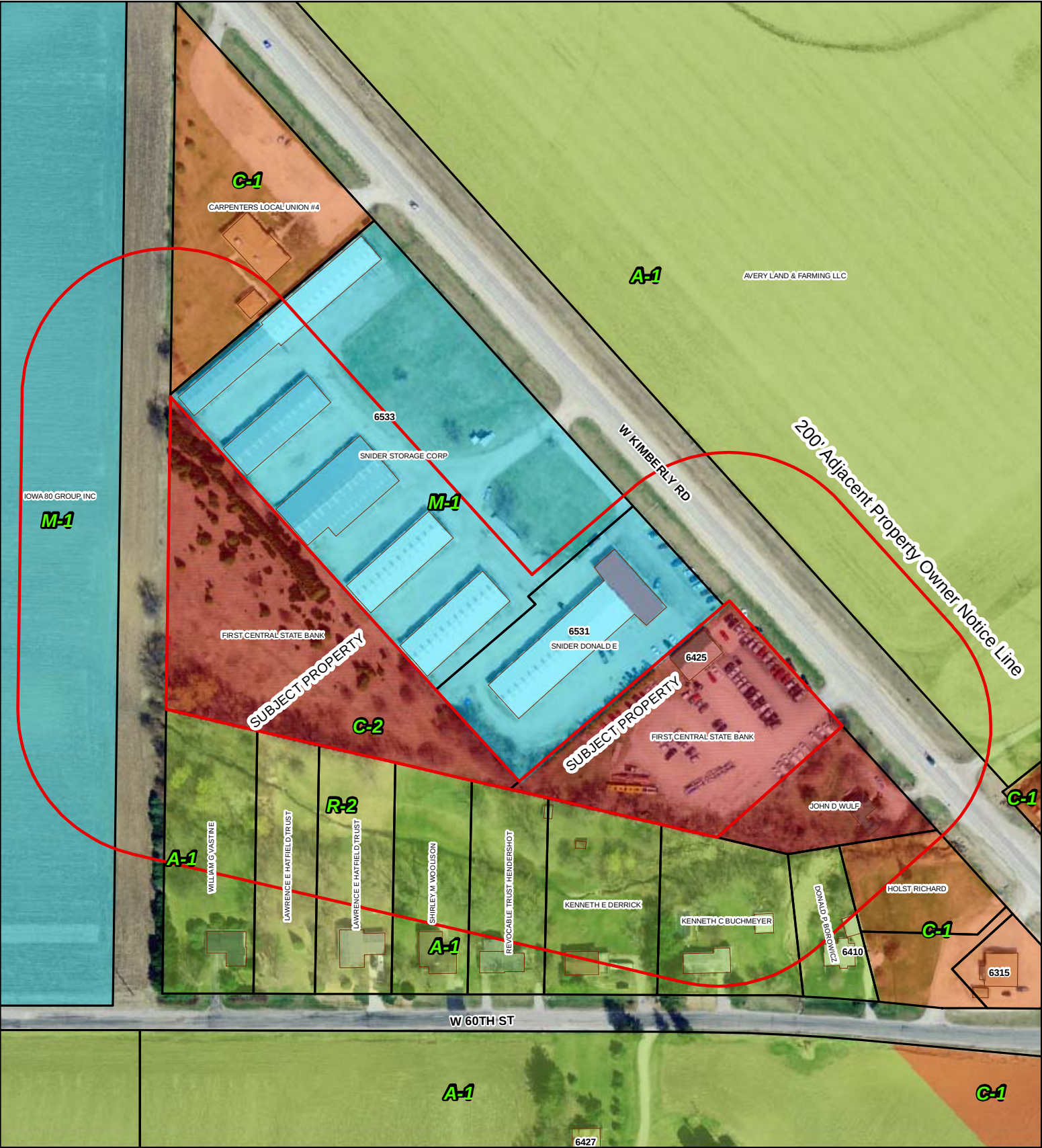
NAME Donald Borowicz
ADDRESS 6410 West 60th St.
DATE 8-30-2014
(please write legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

REZ14-01 Propety Owner Protest List

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
V0649-02B	9410.09693	2.7%		0.0%	6533 W KIMBERLY RD	SNIDER STORAGE CORP	2723 GRAND AV	DAVENPORT IA 52803
V0649-01	41549.0855	11.8%		0.0%		AVERY LAND & FARMING LLC	515 W STERLING RD Box 639	WALCOTT IA 52773
V0649-01A	25150.2696	7.2%		0.0%	6401 W KIMBERLY RD	JOHN D WULF	21905 MAYSVILLE RD	WALCOTT IA 52773
V0649-01B	63219.2822	18.0%		0.0%	6531 W KIMBERLY RD	SNIDER DONALD E	6531 W KIMBERLY RD	DAVENPORT IA 52806
V0649-10	31322.1972	8.9%		0.0%	6510 W 60TH ST	KENNETH E DERRICK	6510 W 60TH ST	DAVENPORT IA 52806
V0649-11	34275.0877	9.8%		0.0%	6430 W 60TH ST	KENNETH C BUCHMEYER	320 N CENTURY ST	WALCOTT IA 52773
V0649-14	6985.68477	2.0%		0.0%	6333 W KIMBERLY RD	HOLST RICHARD	6023 W KIMBERLY RD	DAVENPORT IA 52806
V0649-03A	15350.3236	4.4%		0.0%		FIRST CENTRAL STATE BANK	914 6TH ST	DEWITT IA 52742
V0649-07	5515.23595	1.6%		0.0%	6606 W 60TH ST	LAWRENCE E HATFIELD TRUST	6606 W 60TH ST	DAVENPORT IA 52806
V0649-08	19527.5229	5.6%	YES	5.6%	6530 W 60TH ST	SHIRLEY M WOOLISON	6530 W 60TH ST	DAVENPORT IA 52806
V0649-09	21072.4981	6.0%	YES	6.0%	6520 W 60TH ST	REVOCABLE TRUST HENDERSHOT	6520 W 60TH ST	DAVENPORT IA 52806
V0649-12	9343.45844	2.7%	YES	2.7%	6410 W 60TH ST	DONALD P BOROWICZ	6410 W 60TH ST	DAVENPORT IA 52806
PARCELS ROW	282,720.7 68,630.0	80.5% 19.5%						Alderman: Edmond
TOTAL NOTICE AREA	351,350.8	100%		14.2% PROTEST RATE		Protests: 3		Properties: 12

Plan & Zoning Commission Rezoning: Adjacent Property Owner Notice Area



REZ14-01 Propety Owner Protest List2

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS		PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
V0649-02B	9410.09693	2.7%		0.0%	6533 W KIMBERLY RD	SNIDER STORAGE CORP		2723 GRAND AV	DAVENPORT IA 52803
V0649-01	41549.0855	11.8%		0.0%		AVERY LAND & FARMING LLC		515 W STERLING RD Box 639	WALCOTT IA 52773
V0649-01A	25150.2696	7.2%		0.0%	6401 W KIMBERLY RD	JOHN D WULF		21905 MAYSVILLE RD	WALCOTT IA 52773
V0649-01B	63219.2822	18.0%		0.0%	6531 W KIMBERLY RD	SNIDER DONALD E	SNIDER ORLENE K	6531 W KIMBERLY RD	DAVENPORT IA 52806
V0649-10	31322.1972	8.9%		0.0%	6510 W 60TH ST	KENNETH E DERRICK	DERRICK JO L	6510 W 60TH ST	DAVENPORT IA 52806
V0649-11	34275.0877	9.8%		0.0%	6430 W 60TH ST	KENNETH C BUCHMEYER	CASTRO BEATRICE A	320 N CENTURY ST	WALCOTT IA 52773
V0649-14	6985.68477	2.0%	YES	2.0%	6333 W KIMBERLY RD	HOLST RICHARD		6023 W KIMBERLY RD	DAVENPORT IA 52806
V0649-03A	15350.3236	4.4%		0.0%		FIRST CENTRAL STATE BANK		914 6TH ST	DEWITT IA 52742
V0649-07	5515.23595	1.6%		0.0%	6606 W 60TH ST	LAWRENCE E HATFIELD TRUST		6606 W 60TH ST	DAVENPORT IA 52806
V0649-08	19527.5229	5.6%	YES	5.6%	6530 W 60TH ST	SHIRLEY M WOOLISON		6530 W 60TH ST	DAVENPORT IA 52806
V0649-09	21072.4981	6.0%	YES	6.0%	6520 W 60TH ST	REVOCABLE TRUST HENDERSHOT		6520 W 60TH ST	DAVENPORT IA 52806
V0649-12	9343.45844	2.7%	YES	2.7%	6410 W 60TH ST	DONALD P BOROWICZ		6410 W 60TH ST	DAVENPORT IA 52806
PARCELS	282,720.7	80.5%							
ROW	68,630.0	19.5%							Alderman: Edmond
TOTAL									
NOTICE AREA	351,350.8	100%		16.2%	PROTEST RATE		Protests: 4		Properties: 12

City of Davenport

Committee: Community Development
Department: CPED
Contact Info: Matt Flynn 563-326-7743
Wards: 3

Action / Date
CD10/15/2014

Subject:

Second Consideration: An Ordinance for Case No. REZ14-10 being the petition of Naval Station LLC/Richard Davidson for a rezoning of 1.29 acres, more or less, of real property known as 2104 West 6th Street from "R-4" Moderate Density Dwelling District to "R-5M" Medium Density Dwelling District. The rezoning is to facilitate the conversion of a former two-story school building to 18 senior housing apartment units. [3rd Ward]

Recommendation:

The City Plan and Zoning Commission finds that:

- The rezoning will reduce the number of under occupied, abandoned, or vacant buildings/properties through adaptive reuse
- The rezoning will increase the number of mixed-use neighborhoods and districts

The City Plan and Zoning Commission accepted the listed findings and forwards Case No. REZ14-10 to the City Council for approval. There are no special conditions.

The Commission vote was 10-yes and 0-no.

THE PROTEST RATE IS 0.0%.

Relationship to Goals:

Neighborhood Improvements

Background:

The rezoning is to facilitate the conversion a former two-story school building to 18 senior housing apartment units.

For further background information please refer to the background attachments.

ATTACHMENTS:

Type	Description
▣ Ordinance	Ordinance REZ14-10
▣ Backup Material	REZ14-10 background material

REVIEWERS:

Department	Reviewer	Action	Date
Community Development Committee	Berger, Bruce	Approved	10/28/2014 - 5:46 PM
City Clerk	Admin, Default	Approved	10/29/2014 - 9:24 AM

ORDINANCE NO.

An ORDINANCE (Case No REZ14-10) for a rezoning of 1.29 acres, more or less, of real property from "R-4" Moderate Density Dwelling District to "R-5M" Medium Density Dwelling District, located at 2104 West 6th Street, to facilitate renovation of the building to 18 senior residential units. [3rd Ward]

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned. The property has the following legal description:

Part of the Southwest Quarter of Section 27- Township 78 North – Range 3 East of the 5th P.M. being more particularly described as follows:

Lots 1 through 7 of Block 6 of Glaspell's 2nd Addition to the City of Davenport, Scott County, Iowa, also known as 2104 West 6th Street with Parcel No. H0049-06 being more particularly described as follows:

Beginning at a point in the Southeast Corner of Lot 6 of said Block 6 of Glaspell's 2nd Addition, said point also being the Northwest Corner of the intersection of Oak and West 6th Streets; thence West along the North Line of said West 6th Street and the South Line of said Block 6 of Glaspell's 2nd Addition a distance of 350.05 feet, more or less, to the Southwest Corner of Lot 1 of said Block 6 of Glaspell's 2nd Addition; thence Northwesterly a distance of 33.4 feet, more or less, to the Northwesterly Corner of said Lot 1, said Corner also being in the Southerly Line of Telegraph Road; thence Northeasterly along said Southerly Line of Telegraph Road and the Northwesterly Line of Lots 1, 2 and 7 of said Block 6 of Glaspell's 2nd Addition a distance of 276.6 feet, more or less, to the Northwesterly Corner of said Lot 7; thence East along the North Line of said Lot 7 a distance of 151.7 feet, more or less, to the Northeast Corner of said Lot 7, said Corner also being in the West Line of Oak Street; thence South along the West Line of said Oak Street also being the East Line of Lots 7 and 1 of said Block 6 of Glaspell's 2nd Addition a distance of 215 feet, more or less to the point of beginning. Said tract contains 1.29 acres, more or less.

The City Plan and Zoning Commission accepted the listed finding and forwards Case No. REZ14-10 to the City Council for approval. There are no special conditions.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful

provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____
Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

September 3, 2014

Honorable Mayor and City Council
City Hall
Davenport, Iowa 52801

Honorable Mayor and City Council:

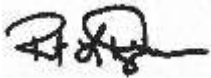
At its regular meeting of October 2, 2014, the City Plan and Zoning Commission considered Case No. REZ14-10, Petition of Naval Station LLC for a rezoning of 1.29 acres, more or less, of real property known as 2104 West 6th Street from "R-4" Moderate Density Dwelling District to "R-5M" Medium Density Dwelling District. The rezoning is to facilitate the conversion a former two-story school building to 18 senior housing apartment units. [3rd Ward]

The City Plan and Zoning Commission adopted the following staff findings as the findings of the Commission:

- The rezoning will reduce the number of under occupied, abandoned, or vacant buildings/properties through adaptive reuse
- The rezoning will increase the number of mixed-use neighborhoods and districts

By a roll call vote of 10-yes, 0-no, and 0-abstain, the City Plan and Zoning Commission forwards Case No. REZ14-10 to the City Council with a recommendation of approval of the request.

Respectfully submitted,



Robert Inghram, Chairperson
City Plan and Zoning Commission

		APPROVED	APPROVED	APPROVED	APPROVED	APPROVED	APPROVED	APPROVED	
Name:	Roll Call	CP14-06 Amend Land Use Map	REZ14-08 3616 W KIMBERLY RD	REZ14-10 2104 W 6th St	REZ14-09 N of VMP & E of JRR	FDP14-04 Scott Co Casino LLC Rhythm	P14-02 River 80 1st	F14-11 River 80 1st	
Cartee	P	N	Y	Y	Y	Y	N	N	
Connell	P	Y	Y	Y	Y	Y	Y	Y	
D'Autremont	P	Y	Y	Y	Y	Y	Y	Y	
Elgatian	EX	Y	Y	Y	Y	Y	Y	Y	
Gere	P	Y	Y	Y	Y	Y	Y	Y	
Inghram	P	Y							
Kelling	P	N	Y	Y	Ab	Ab	Ab	Ab	
Lammers	P	N	Y	Y	N	N	N	N	
Martin	P	N	Y	Y	N	N	N	N	
Martinez	P	N	Y	Y	N	Y	N	N	
Tallman	P	Y	Y	Y	Y	Y	Y	Y	
		6-YES 5-NO 0-ABSTAIN	10-YES 0-NO 0-ABSTAIN	10-YES 0-NO 0-ABSTAIN	6-YES 3-NO 1-ABSTAIN	7-YES 2-NO 1-ABSTAIN	5-YES 4-NO 1-ABSTAIN	5-YES 4-NO 1-ABSTAIN	



PLAN AND ZONING COMMISSION

Public Hearing: September 30, 2014
Request: Rezoning: From R-4 Low Density To: R-5M Medium Density Dwelling
Location: 2104 W 6th St
Case No.: REZ14-10
Applicant: Naval Station, LLC/Richard Davidson

Recommendation:

Staff recommends the Plan and Zoning Commission accept this report's findings and forward Case No. REZ14-10 to the City Council with a recommendation of approval.

Introduction:

Petition of Naval Station LLC/Richard Davidson for a rezoning of 1.29 acres, more or less, of real property known as 2104 West 6th Street from "R-4" Moderate Density Dwelling District to "R-5M" Medium Density Dwelling District. The rezoning is to facilitate the conversion of a former two-story school building to 18 senior housing apartment units.

AREA CHARACTERISTICS:



AREA CHARACTERISTICS: (cont.)

Zoning Map



R-4: Moderate Density Dwelling
C-1: Neighborhood Shopping

Davenport 2025 Proposed Land Use



RG: Residential General Neighborhood
PR: Parks and Recreation



Background:

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation:

Residential General Neighborhood (RG) designates mixed-use neighborhoods that are mostly residential but include, or are within one-half mile (walking distance) of scattered neighborhood-compatible commercial services as well as other neighborhood uses like schools, churches, corner stores, etc.

Relevant Goals to be considered in this Case:
Neighborhood Improvements

Technical Review:

Streets. The property utilizes the existing street pattern. No physical changes should occur.

Storm Water. Storm water will need to meet the City's new stormwater requirements.

Sanitary Sewer. The property is serviced by existing sanitary sewer lines.

Other Utilities. This is an urban area serviced by all utilities.

Emergency Services. The property is all located less than one (1) mile from Fire Station No. 5 at 2808 Telegraph Road.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

PUBLIC INPUT

The applicant held the neighborhood meeting on September 9th. Two property owners attended the meeting and were in favor of the request. Notices have been sent to the 42 owners within 200 feet of the subject property. Two have been submitted in support of the request.

DISCUSSION

The owner is proposing to convert the former school to 18 senior apartments using Historic Tax Credits, CDBG funding and Iowa Green Streets funding, along with conventional financing.

Findings:

- the rezoning will reduce the number of under occupied, abandoned, or vacant buildings/properties through adaptive reuse
- the rezoning will increase the number of mixed-use neighborhoods and districts

Staff Recommendation:

Staff recommends the Plan and Zoning Commission accepts this report's findings and forward Case No. REZ14-10 to the City Council with a recommendation of approval.

Prepared by:



Scott Koops, AICP
Planner II

City of Davenport

Committee: Communit Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 6th

Action / Date
CD11/5/2014

Subject:

Second Consideration: Ordinance for Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from “A-1” Agricultural District to “R-5M PUD” Medium Density Dwelling District Planned Unit Development to facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative along with eventual attached single family home lots. [6th Ward]

Recommendation:

Findings:

- The proposal utilizes the last undeveloped parcel along this segment of Crow Creek Road.
- The proposal transitions between the more intensive commercial development within Utica Corners and the residential to the south.
- The proposal is in conformance with Davenport 2025: A Comprehensive Plan for the City.

The City Plan and Zoning Commission accepts the findings and forwards Case No. REZ14-11 to the City Council for approval subject to the following conditions:

1. Access to Crow Creek Road should be limited to the existing median cross over locations.
2. The existing storm water detention ponds must either be protected or relocated along with the construction of any additional stormwater requirements needed for new development.

The Commission vote was 6-yes and 0-no with 1-abstention.

THE PROTEST RATE IS 6.5%.

Relationship to Goals:

Neighborhood Improvement

Background:

The petitioner is proposing the rezoning to develop the last remaining open parcel along Crow Creek Road between Utica Ridge Road and Devils Glen Road. The proposal would facilitate development of a 61-unit, four-story, owner-occupied senior housing cooperative. The remaining property would eventually be developed with attached single family home lots.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
□ Cover Memo	REZ14-11 Ordinance
□ Cover Memo	REZ14-11 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/28/2014 - 5:48 PM
Community Development Committee	Berger, Bruce	Approved	10/28/2014 - 5:52 PM
City Clerk	Admin, Default	Approved	10/29/2014 - 9:15 AM

ORDINANCE NO.

An ORDINANCE for Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from "A-1" Agricultural District to "R-5M PUD" Medium Density Dwelling District Planned Unit Development to facilitate the development of a 61- unit, four-story, owner occupied senior housing cooperative along with eventual attached single family home lots. [6th Ward]

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned. The property has the following legal description:

Part of the Southeast Quarter of Section 8- Township 78 North – Range 4 East of the 5th P.M. being more particularly described as follows:

Beginning at the Southeasterly Corner of Outlot B of Utica Corners 7th Subdivision; thence South 02° 30' 26" East 442.02 Feet along the Westerly Line of Coventry Third Addition to the Northerly right-of-way line of Crow Creek Road; thence South 87° 43' 15" West 748.78 Feet along the said Northerly right-of-way line of Crow Creek Road; thence North 02° 16' 44" West 441.81 Feet to the Southerly Line of Utica Corners 2nd Subdivision; thence North 87° 42' 18" East 747.02 Feet along the Southerly Line of Utica Corners 2nd, 6th and 7th Subdivisions to the said Southeasterly Corner of Outlot B of Utica Corners 7th Subdivision and the Westerly Line of Coventry Third Addition and the Point of Beginning. This parcel contains 7.587 acres, more or less. (For the purposes of this description the Westerly Line of Coventry Third Addition is assumed to bear South 02° 30' 26" East).

The City Plan and Zoning Commission accepted the findings and forwards Case No. REZ14-11 to the City Council for approval subject to the following conditions:

1. Access to Crow Creek Road should be limited to the existing median cross over locations.
2. The existing storm water detention ponds must either be protected or relocated along with the construction of any additional stormwater requirements needed for new development.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful

provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____



City of Davenport

226 West Fourth Street • Davenport, Iowa 52801
Telephone: 563-326-7711 TDD: 563-326-6145
www.cityofdavenportiowa.com

October 17, 2014

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of October 14, 2014, the City Plan and Zoning Commission considered Case No. REZ14-11 being the petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from "A-1" Agricultural District to "R-5M PUD" Medium Density Dwelling District Planned Unit Development for the facilitate a 61- unit, four-story, owner occupied senior housing cooperative in addition to attached single family home lots

I

Findings:

- The proposal utilizes the last undeveloped parcel along this segment of Crow Creek Road.
- The proposal transitions between the more intensive commercial development within Utica Corners and the residential to the south.
- The proposal is in conformance with Davenport 2025: A Comprehensive Plan for the City.

The City Plan and Zoning Commission accepts the findings and forwards Case No. REZ14-11 to the City Council for approval subject to the following conditions:

1. Access to Crow Creek Road should be limited to the existing median cross over locations.
2. The existing storm water detention ponds must either be protected or relocated along with the construction of any additional stormwater requirements needed for new development.

Respectfully submitted,

Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	APPROVED	APPROVED					
Name:	Roll Call	REZ14-11 4601 UTICA RIDGE RD (REAR)	F14-12 WELCOME WAY COMM PARK 6TH	ROW14-03 2ND ST ADJ 227 LECLAIRE ST					
Cartee	EX								
Connell	P	Y	Y	Y					
D'Autremont	P	Y	Y	Y					
Elgatian	EX								
Gere	EX								
Inghram	P								
Kelling	P	Y	Y	Y					
Lammers	P	Y	Y	Y					
Martin	P	Y	Y	Y					
Martinez	P	Y	Y	Y					
Tallman	P	AB	Y	Y					
		6-YES 0-NO 1-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN					

REZ14-11 protest sheet

PARCEL	NOTICE AREA	NOTICE %	PROTEST (YES/NO)	PROTEST %	PROPERTY ADDRESS	PROPERTY OWNER(S)	OWNER ADDRESS	OWNER CSZ
841707110	7559	1.4%			1211 Crow Creek Rd	Larry R Freiberg	1211 Crow Creek Rd	Bettendorf IA 52722
841707109	7500	1.4%			1217 Crow Creek Rd	Michael C Meggers	1217 Crow Creek Rd	Bettendorf IA 52722
841707108	7500	1.4%			1223 Crow Creek Rd	Jo Anne Snyder Revocable Living Trust	1223 Crow Creek Rd	Bettendorf IA 52722
841707107	7500	1.4%			1229 Crow Creek Rd	Stephen Joseph Moller	1229 Crow Creek Rd	Bettendorf IA 52722
841707106	7500	1.4%	YES	1.4%	1303 Crow Creek Rd	Stephen L Brown	1303 Crow Creek Rd	Bettendorf IA 52722
841707105	7500	1.4%			1309 Crow Creek Rd	Chad J Banda	1309 Crow Creek Rd	Bettendorf IA 52722
841707104	7500	1.4%			1315 Crow Creek Rd	Michael S Smith	1315 Crow Creek Rd	Bettendorf IA 52722
841707103	7500	1.4%	YES	1.4%	1321 Crow Creek Rd	Nelson H Chesney	1321 Crow Creek Rd	Bettendorf IA 52722
841707102	8000	1.5%	YES	1.5%	1327 Crow Creek Rd	Dennis R Stringer	1327 Crow Creek Rd	Bettendorf IA 52722
841707101	8540	1.6%	YES	1.6%	1333 Crow Creek Rd	Charles A Porter Revocable Trust	Mary Ann Porter Revocable	Bettendorf IA 52722
841601101	8350	1.5%			1405 Crow Creek Rd	Kenneth W Froeschle Jr	1405 Crow Creek Rd	Bettendorf IA 52722
841601102	3840	0.7%			1435 Crow Creek Rd	Julie M Myers	1435 Crow Creek Rd	Bettendorf IA 52722
841707821	4760	0.9%			4571 Bunker Hill Dr	Daniel L McElhiney	4571 Bunker Hill Dr	Bettendorf IA 52722
841707820	2380	0.4%	YES	0.4%	4567 Bunker Hill Dr	Kent A Stoefen	4567 Bunker Hill Dr	Bettendorf IA 52722
841707819	2380	0.4%			4559 Bunker Hill Dr	Ryan M Voss	4559 Bunker Hill Dr	Bettendorf IA 52722
841707818	2386	0.4%			4555 Bunker Hill Dr	Sarah L Andich	4555 Bunker Hill Dr	Bettendorf IA 52722
841707800CA		0.0%				Terrace Park Homeowners Assoc		Bettendorf IA 52722
N0949-01	16560	3.1%			4602 Coventry Ct	Jill Tindall	4602 Coventry Ct	Davenport IA 52807
N0949-23	1348	0.2%			4603 Coventry Ct	Karen A Brenat	4603 Coventry Ct	Davenport IA 52807
N0949-02	12680	2.3%			4610 Coventry Ct	Matthew H Moran	4610 Coventry Ct	Davenport IA 52807
N0949-22	875	0.2%	YES	0.2%	4621 Coventry Ct	Kroul Revocable Trust	4621 Coventry Ct	Davenport IA 52807
N0949-03	12690	2.3%			4700 Coventry Ct	Kevin W James	4700 Coventry Ct	Davenport IA 52807
N0949-21	888	0.2%			4707 Coventry Ct	Bryan K Kress	4707 Coventry Ct	Davenport IA 52807
N0949-04	12700	2.3%			4714 Coventry Ct	Gary A Stinson	4714 Coventry Ct	Davenport IA 52807
M0949-20	875	0.2%			4713 Coventry Ct	Ann Marie Clark 2011 Trust	4713 Coventry Ct	Davenport IA 52807
N0949-05	12705	2.3%			4720 Coventry Ct	Kimberly L Vanlanken	4720 Coventry Ct	Davenport IA 52807
N0949-19	636	0.1%			4719 Coventry Ct	John C Thornton	4719 Coventry Ct	Davenport IA 52807
N0949-06	12715	2.3%			4726 Coventry Ct	Ronald L Van Fleet	4726 Coventry Ct	Davenport IA 52807
N0949-07	5938	1.1%			4800 Coventry Ct	Douglas A Pohl	4800 Coventry Ct	Davenport IA 52807
N0855-09D	33133	6.1%				Utica Corner Holding Co	5111 Utica Ridge Rd	Davenport IA 52807
N0855-10D	26766	4.9%				Utica Corner Holding Co	5111 Utica Ridge Rd	Davenport IA 52807
N0855-OLE	2563	0.5%				Utica Corner Holding Co	5111 Utica Ridge Rd	Davenport IA 52807
N0855-02	37074	6.8%			4885 Utica Ridge Rd	Healthplex LLC	606 W 2nd St	Davenport IA 52801
N0855AOLB	42130	7.8%				City of Davenport	c/o Public Works-Natural R	Davenport IA 52807
N0855-01B	88362	16.3%			4601 Utica Ridge Rd	Christ's Family Church	4601 Utica Ridge Rd	
FORMAT ROW	0.00	0.0%						

PARCELS 421,333.9 77.7%
ROW 120,665.5 22.3%

Alderman: Justin

TOTAL
NOTICE AREA 541,999.4 100% **6.5% PROTEST RATE**

Protests: 6

Properties: 34



City of Davenport
Community Planning & Economic Development Department
FINAL STAFF REPORT

PLAN AND ZONING COMMISSION

Meeting Date: October 14, 2014
Request: Zoning Map Amendment (Rezoning) from A-1 to R-5M PUD
Address: Rear of 4601 Utica Ridge Road
Case No.: REZ14-11
Applicant: Real Estate Equities Homes – Crow Creek Road LLC

INTRODUCTION

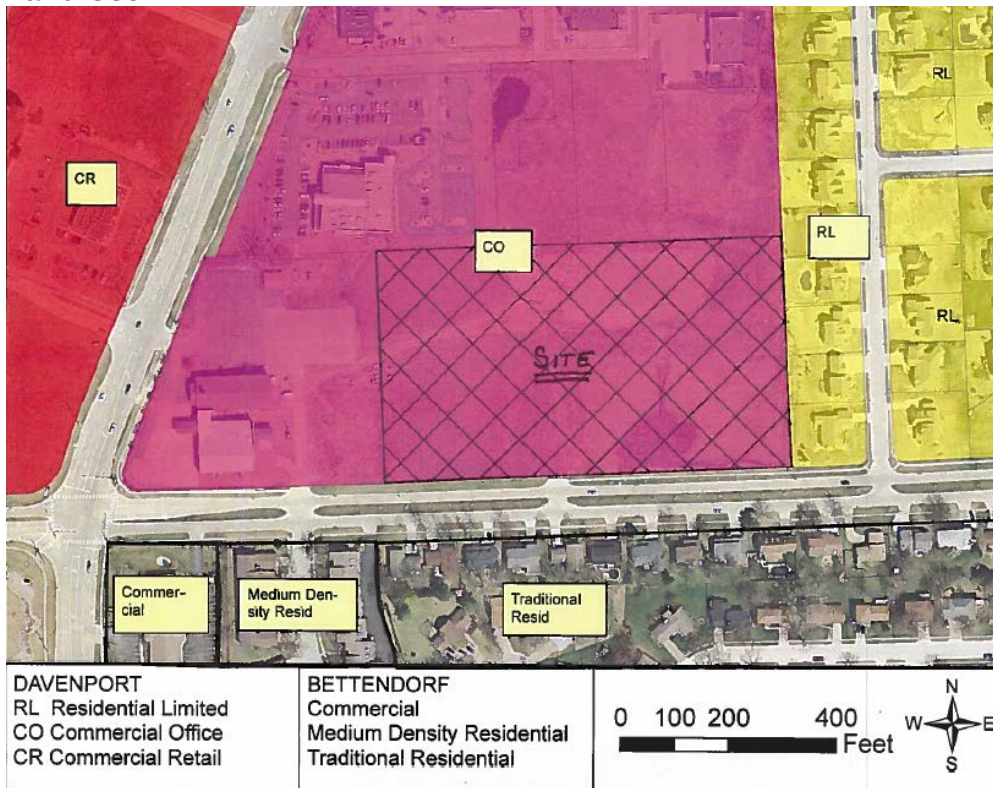
Petition of Real Estate Equities Homes – Crow Creek Road, LLC for the rezoning of 7.56 acres, more or less, of real property located north of Crow Creek Road and east of Utica Ridge Road at the rear of 4601 Utica Ridge Road from "A-1" Agricultural District to "R-5M PUD" Medium Density Dwelling District Planned Unit Development for the facilitate a 61- unit, four-story, owner occupied senior housing cooperative in addition to attached single family home lots.

Recommendation: Staff recommends the City Plan and Zoning Commission accept the findings and forward Case No. REZ14-11 to the City Council for approval subject to the listed conditions.

Zoning



Land Use



Aerial Photo:



BACKGROUND

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation: Commercial Office (CO)

Description: *The Commercial Office (CO) category provides for a mixture of commercial uses, generally more office than retail. Retail in the CO can be best described as being of smaller scale and less intensity than Commercial Retail (CR).*

Relevant *Davenport 2025* Goals and Objectives:

1. *Strengthen the existing built environment.*
 - b. *Reduce the number of underoccupied, abandoned, or vacant buildings / properties through adaptive reuse and infill.*
 - d. *Increase the number of mixed-use neighborhoods and districts.*
2. *Identify and reserve land for current and future development.*
 - a. *Develop land use policies that permit development with a wide variety of building types, uses, and densities.*

Iowa Smart Planning Principles:

Relevant Iowa Smart Planning Principles which may be considered when reviewing this case:

- ***Revitalization***
Planning, zoning, development, and resource management should facilitate the revitalization of established town centers and neighborhoods by promoting development that conserves land, protects historic resources, promotes pedestrian accessibility, and integrates different uses of property. Remediation and reuse of existing sites, structures, and infrastructure is preferred over new construction in undeveloped areas.

Technical Review:

Streets. The subject rezoning area is bounded on the south by Crow Creek Road, a collector street, with a capacity range for average annual daily traffic (AADT) of between 1,000 to 10,000. According to Bi-State Regional Commission the 2010 AADT for this segment of Crow Creek Road is 3310 vehicles per day, approximately one-third (1/3) the road's traffic capacity. Proposed access to the site would be located at the second median crossing east of Utica Ridge Road. Note: AADT is a daily average based on an annual sample. Also this site is the last property along this portion of Crow Creek Road from 18th Street to Utica Ridge Road to be development, all other parcels are developed. Review of various reports generated for the Institute of Traffic Engineers (ITE) indicate most trips generated by age restricted (55+) housing developments are off peak commuting hours; typically the hours after the morning commute and before the evening commute. The exceptions are those seniors that are still in the work force. Even if the average daily count were doubled it would remain well within the road's capacity. Also the adjacent intersection with Utica Ridge Road is a signalized intersection.

Storm Water. There is existing stormwater infrastructure located in Crow Creek Road that apparently drains to the two detention pond areas. A small detention area is located to the west of the proposed rezoning with the larger detention area located in the south east corner of the area being rezoned. It is the understanding of this staff that the detention ponds were created to mitigate the undersized storm sewers in Bettendorf which did not handle the existing drainage when they were constructed nor did they account for any development north of Crow Creek Road even though that land drained into Bettendorf. The developer is working with both Bettendorf and Davenport in redesigning the detention basin. A copy of that portion of the easement agreement is attached with the segments highlighted indicating the ability to modify the detention basin/easement with approvals from both Bettendorf and Davenport. The developer is proposing to resize the basin keeping the volume detained the same by deepening the basin. According to the developer, the basin was originally sized to accommodate the development to the north as well as development of the subject property. One change in the concept is the straightening of the drive from Crow Creek Road. This accommodates additional area for the detention basin.

Since Bettendorf's design for the detention created a shallow pond a larger area was required than if the pond were deeper. One controlling factor is the outlet. Consider a box 100' x 100' x 1' deep (10,000 cubic feet). Keep the volume the same but make the box 2-feet deep, then the size can be 71' x 71' (71' x 71' x 2' = 10,082 cubic feet).

If the proposed calculations do not allow the complete change proposed an alternative could be to eliminate the two lots along the entrance drive, then less change to the detention area would be needed.

Sanitary Sewer. Sanitary sewer service is located along the north side of Crow Creek Road. This is an eight-inch sanitary line.

Other Utilities. This is an urban area and normal utility services are available.

Emergency Services. The property is located approximately 1.7 miles from Fire Station No. 8, which is located at 2802 E. 53rd Street. The closest Bettendorf fire service is approximately 2-miles away.

Parks/Open Space. The proposed rezoning does not impact any existing or planned parks or public open spaces.

PUBLIC INPUT

An initial meet and greet style meeting was held in March of this year and staff has indicated another neighborhood meeting would be prudent. The official rezoning neighborhood meeting was held September 16th. Approximately five neighbors were in attendance most from the south side of Crow Creek Road. Notices have been sent to the 32 owners of property within the 200 foot notice area. As of this writing six (6) protests have been received and are attached in the background materials. The primary concerns of the protests were storm water detention (addressed above), density and hence traffic generation (addressed above), building height

DISCUSSION

The petitioner has submitted a concept layout for the cooperative building as well as a concept for the single family attached units. The concept has changes slightly from the preview packet: the cul-de-sac is reversed with the bulb to the north as two lots were shifted from the north to the south side of the cul-de-sac.

The developer's primary intent is the development of the cooperative building and not the adjacent single family attached units. They are shown for the concept plan only.

Please note: Site and engineering details are not required until the final development plan phase submittal. A final development plan will be required for the two phases of the development, the cooperative building and site, and the single family (attached) portion.

Parking: The developer will need to apply to the Zoning Board of Adjustment for a Special Exception to reduce the required parking. This is a senior housing cooperative. Like most senior housing the parking required as well as traffic generated is less than typical multi-family developments; think of Jackson Renaissance and Taylor Heights senior housing developments. The developer is proposing a total of 94 parking spaces with 61 spaces provided in a garage underneath the building and an additional 33 spaces in the surface lot. The ordinance requirement is for 122 spaces (2 spaces per unit) with this development supplying 1.3 spaces per unit. The two most recent special exceptions to reduce parking for senior housing, Taylor Heights and Jackson Renaissance were 1.1 and 1.0 spaces per unit respectively. Both these projects are within established single family areas and staff is not aware of any complaints regarding parking from the neighborhoods. The special exception should be done in conjunction with or prior to the development plan.

Traffic generation: (See also discussion under Technical Review-Streets above) According to several studies including the Institute of Traffic Engineers (ITE) the average vehicle trips per day for senior (age restricted) development is about one-half to two-third the rate for single family detached homes. The higher end accounts for those non-resident trips which include but not limited to building and ground maintenance personnel and other visitors. These figures are comparable to regular apartment or condominium developments. The trips generated during peak hours are about one-third the rate for single family detached homes; which accounts for fewer job related trips. There is adequate capacity in this road to accommodate this development, the last available area on Crow Creek Road between Utica Ridge Road and 18th Street.

Building height: For example - the adjacent "PDD" zoning to the north does not limit building height, though increased setbacks would be required for taller buildings. The maximum building setback in PDD would be seventy-five (75) feet for an unlimited building height. The proposed building is four stories with the lower level being parking. If approved, the underlying R-5M zoning would allow for 90 feet in building height. Using an average of between 10 to 12 feet per floor/story, the proposed four (4) story building would be between 40 to 48 feet in height. The proposed building setback is approximately 130 feet from the property line (190 feet from the centerline if the median of Crow Creek Road.

Buffering: Concerns were raised regarding the building height can be mitigated through a planting buffer of both evergreen and deciduous trees. This buffer should be located along the

southern edge of the parking lot for maximum effect. The addition of a low berm which would block any headlight spill over would also increase the height of the planting screen. Screening should also occur between the proposed cul-de-sac and the existing residential to the east. Both planting buffers should be established as soon as possible after the concept plan approval and then protected from construction activity.

Stormwater: (See also discussion under Technical Review-Stormwater above) Any new development would be required to meet our current stormwater ordinance 13.34. Any new development would have to provide infiltration of the 1.25 inch rain event along with detention. These calculations and plans would need to be submitted with the final development plan. On site retention (infiltration) of stormwater also reduces the need for detention and hence the impact on existing detention facilities.

STAFF RECOMMENDATION

Findings:

- The proposal utilizes the last undeveloped parcel along this segment of Crow Creek Road.
- The proposal transitions between the more intensive commercial development within Utica Corners and the residential to the south.
- The proposal is in conformance with Davenport 2025: A Comprehensive Plan for the City.

Staff recommends the City Plan and Zoning Commission accept the findings and forward Case No. REZ14-11 to the City Council for approval subject to the following conditions:

1. Access to Crow Creek Road should be limited to the existing median cross over locations.
2. The existing storm water detention ponds must either be protected or relocated along with the construction of any additional stormwater requirements needed for new development.

Prepared by:

Wayne Wille, CFM
Planner II
Community Planning Division

Attachments: Hearing notice, mailing list

X:\PLANNING\Plan and Zoning Commission\Cases\REZ14-11

Concept Plan – 61 unit Senior Building



VILLAGE COOPERATIVE OF CROW CREEK

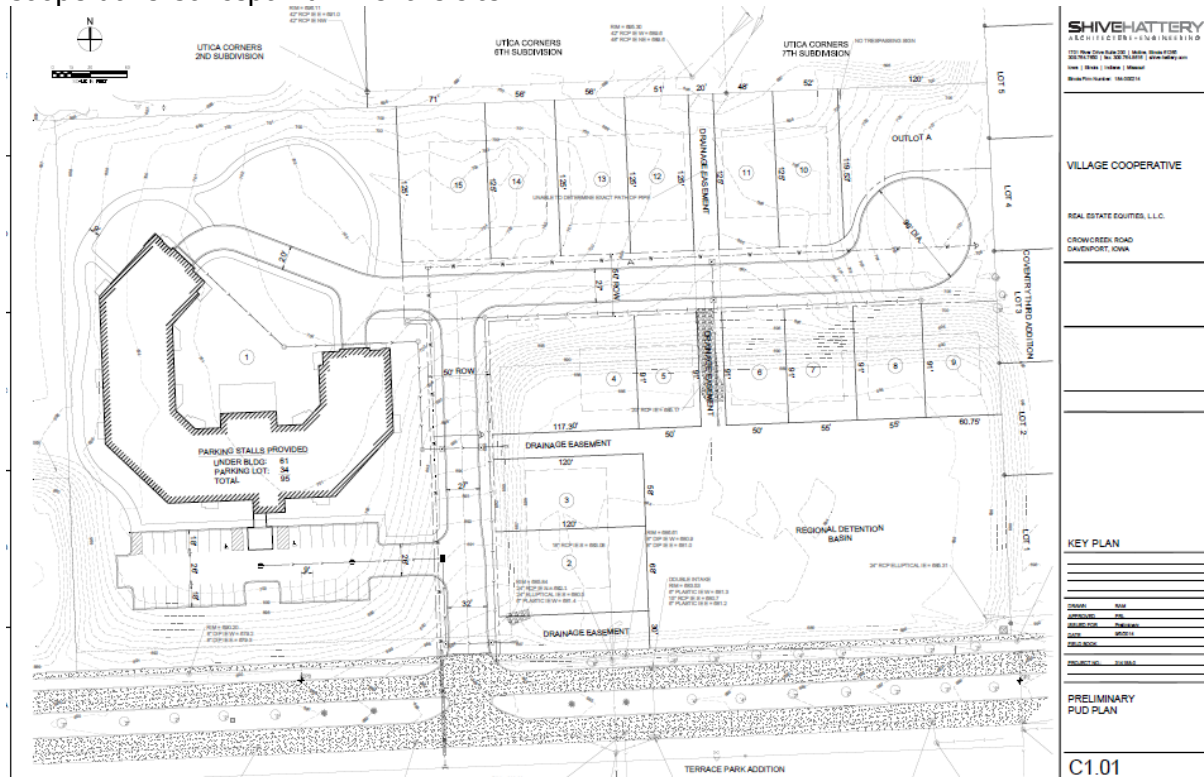
Real Estate Equities Development, LLC



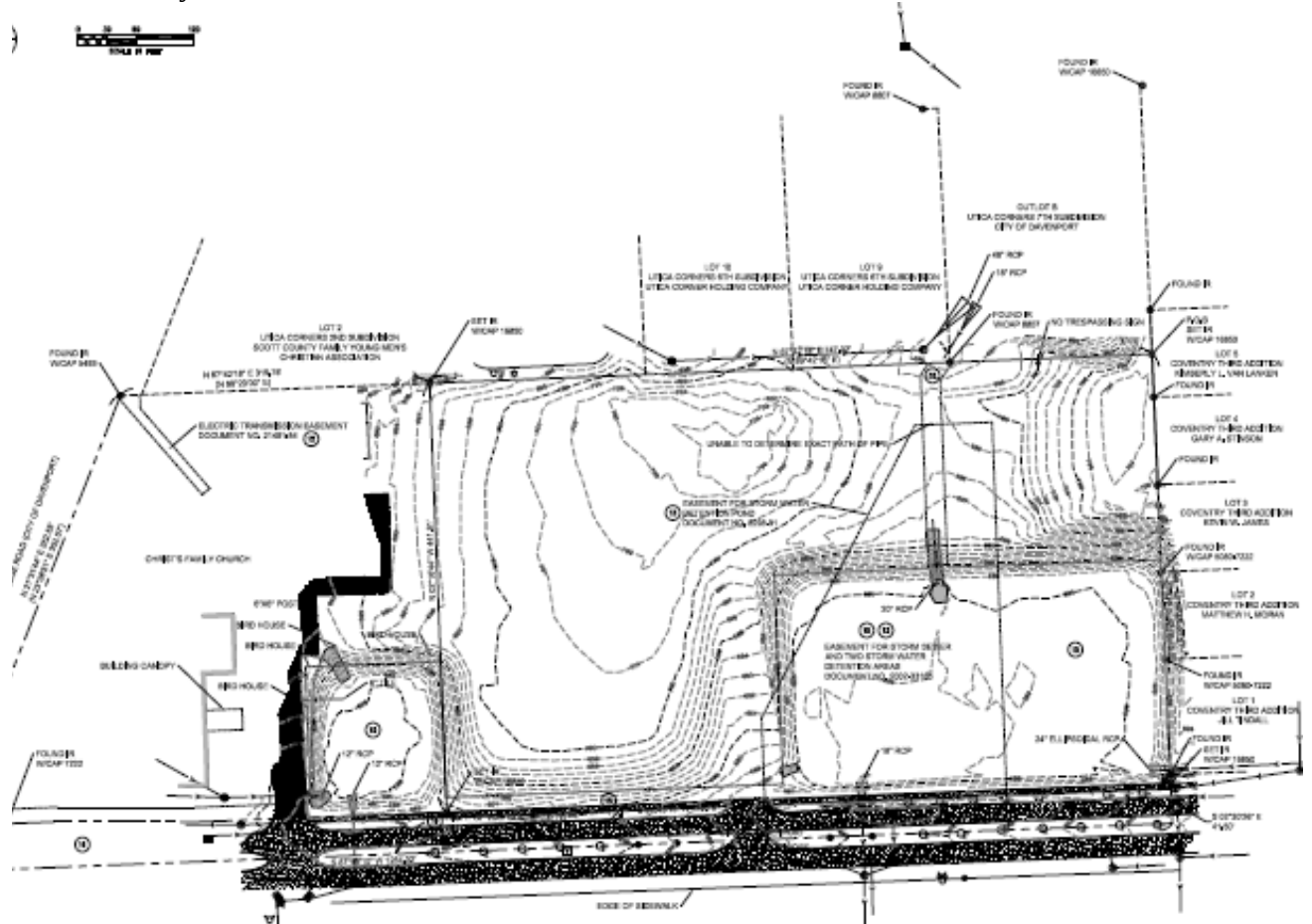
SCHEMATIC SITE PLAN

Prepared by:
SHIVEHATTERY
ARCHITECTURE+ENGINEERING

Cooperative Concept Plan – entire site



ALTA Survey



2002-33185

FEE

\$36.00

E. S. Winters

RECORDER OF DEEDS
SCOTT COUNTY, IOWA

2002 AUG 27 PM 2 32

PREPARER INFORMATION:

Greg Jager, City Hall, 1609 State Street, Bettendorf, Iowa 52722,
telephone 563-344-4000

ADDRESS TAX STATEMENT:

Finance Director, City of Davenport, 226 W. 4th Street, Davenport, Iowa 52801

EASEMENT AGREEMENT

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, Christ's Family Church, Reformed Church in America, does hereby grant, bargain and convey unto the City of Davenport, Iowa, a Municipal Corporation, and the City of Bettendorf, Iowa, a Municipal Corporation, a perpetual easement as described below for the construction and repair of a storm sewer and two storm water detention areas across, through and under the following described tract, and does also grant, bargain and convey the right to maintain, renew, enlarge, extend or reconstruct said drainage facilities within the easement area.

SEE ATTACHED "EXHIBIT A"

It is further understood that Christ's Family Church, Reformed Church in America, agrees to accept storm water from Coventry, L.C. into the storm water detention area to be constructed on the easterly side of land currently owned by Christ's Family Church, Reformed Church in America. Coventry, L.C. will be responsible for all materials and labor for the transportation of storm water from Coventry, L.C. property to the detention area. The two proposed storm water detention areas will meet all future development needs required by Christ's Family Church, Reformed Church in America.

Once the development plans of Christ's Family Church, Reformed Church in America, are known, and with the prior written approval of the cities of Davenport and Bettendorf, Christ's Family Church, Reformed Church in America retains the right to reshape either or both storm water detention areas.

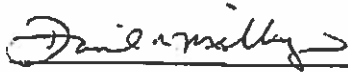
If it is in the best interests of Christ's Family Church, Reformed Church in America, and with the prior written approval of the cities of Davenport and Bettendorf, Christ's Family Church, Reformed Church in America may dedicate the land in either or both storm water detention areas perpetual easements to the cities of Davenport or Bettendorf.

It is agreed by the undersigned not to erect, construct, maintain or allow any permanent structure or building along, on or under said easement without the expressed written permission of the City of Davenport. It is further agreed not to plant or maintain any trees or do any earth work that changes the ground elevation over the two storm water detention areas on or within said easement without the expressed written permission of the City of Davenport and the City of Bettendorf.

This easement and rights herein described shall be binding upon the grantors, their heirs, successors and assigns.

Signed this 14 day of June, 2002.

CHRIST'S FAMILY CHURCH, REFORMED CHURCH IN AMERICA

 (Seal)

Daniel R. Millage
Print Name: DEACON
Title: _____

(Seal)

Print Name: _____
Title: _____

Wille, Wayne

From: Steve and Barb Brown <ayntrt@mchsi.com>
Sent: Tuesday, September 30, 2014 10:34 AM
To: Planning Division – CPED
Subject: Case No. REZ14-11 Crow Creek Road

This is to document that we **oppose** the petition of the real Estate Equities Homes - Crow Creek Road, LLC (REZ14-11).

We live directly across Crow Creek from the access to this property and feel the proposed development would be a detriment to the neighborhood for several reasons.

- The height of the proposed building would be out of place among the single family dwellings as well as the multifamily condominiums on Bunker Hill. It would also be out of proportion with the existing businesses it would be adjacent to. This issue would be accentuated by the fact that the lot is on a hilltop in comparison to the roadway and the existing properties across Crow Creek from it.
- The lighting from the parking lot and building would be a constant for this type of structure and parking lot, which would be disturbing to all the neighbors.
- The intention for the property which will not be used for the senior living complex is not well outlined. In talking to the developer there are too many unknown facts, such as, who the developer of that property be, what exactly will be placed there, how many buildings would be build, etc.
- We believe the conceptual layout for the property we received will be too congested.
- The neighborhood is mostly single family dwellings, there are some condominiums on Bunker Hill but they are very nice dwellings. We do not feel that the proposed multifamily dwellings, the senior complex or the attached dwellings, fit the demographic of this neighborhood.
- The price range for the units in the complex are not in keeping with the price range and the value of the surrounding existing properties.
- The building of this complex would severely impact the value of our property.

Please consider **not** allowing the zoning change for this planned development.

Sincerely,

Stephen and Barbara Brown
1303 Crow Creek Road

Case No. REZ 14-11

Petition of Real Estate Equities Homes

the undersigned opposes Petition of the Real Estate Equities Homes - Crow Creek Road, LLC (REZ 14-11)

Comments:

The retention area was established because of flooding issues.

A specific area was designated for the retention area and was agreed upon by the cities of Davenport and Bettendorf and near-by residents. The agreement clearly stated there would be no construction allowed in that area.

The established portion of land for the retention area has been in existence for several years.

No request for rezoning, modifying etc of the already established retention area should be allowed.

Dennis Stringer ~~Dennis Stringer~~

1327 Crow Creek Rd Bettendorf, IA 52722

Sept. 25, 2014



(detach here)
The undersigned opposes ~~does not oppose~~ (circle one) Petition of the Real Estate Equities Homes - Crow
Creek Road, LLC (REZ14-11)

Comments:

OPPOSITION COMMENTS TO REZONING PROPOSAL (CASE No REZ14-11) ON ATTACHED SINGLE SHEET OF PAPER.

CITY OF DAVENPORT Community Planning & Economic Dev.
SEP 26 2014
2014-09-26 DAVENPORT, IA 52801

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME **Tim and Penny Kroul**

ADDRESS 4621 Coventry Court
Davenport, IA 52807

DATE September 24, 2014
(please print legibly)

Tim Kroul
Penny Kroul

Same
ADDRESS OF PROPERTY NOTICE AREA OTHER THAN MAILING ADDRESS

Tim and Penny Kroul, property owners at 4621 Coventry Court, Davenport, Iowa, are
opposed to the rezoning near Crow Creek Road, Case No. REZ14-11:

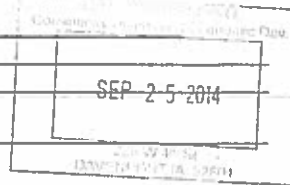
There is no residential amenity to the proposal to rezone allowing the construction of
a four-story housing unit in the existing neighborhood. In fact, there are many
negative objections to the proposal for a senior housing structure which will limit
the current property owner's ability to enjoy living in this neighborhood.

1. The size and height of the proposed four-story structure will overshadow the
current dwellings and does not integrate into the existing single family 1- and 2-
story dwellings of the neighborhood.
2. The mass bulk of this proposed project is visually unacceptable and unappealing in
a single family dwelling neighborhood. It will dominate the view, is unsympathetic to
the character of the existing street and will negatively impact the aesthetic value of
the neighborhood.
3. Since this is a senior housing structure, the increased likelihood of emergency
vehicles is substantial and creates noise disturbances not typical in this
neighborhood.
4. Traffic patterns will be distinctly different for a place of business (which is
what this property will be) as opposed to single family dwelling typical traffic
patterns and mass.
5. The four-story dwelling will overlook adjoining residents' dwellings which creates
a tremendous loss of privacy in private personal spaces (i.e. backyards) of current
residents.
6. The density of the development is excessive. The proposal includes not only a
four-story building (medium to large density dwelling) but also six single-family
attached dwellings (medium density dwellings) and two unknown buildings identified in
planning documents only as "building pad" while existing structures are 1- and 2-story
dwellings (small density dwellings).
7. The lights from the various parking lots will be intrusive to the current
neighborhood since they will be extensive in illumination due to the age of the
individuals maintaining residency in both the four-story senior housing structure and
the single-family attached dwellings.
8. There will be an unacceptable noise disturbance when multiple individuals are
using the four-story structure balconies simultaneously.
9. The extensive amount of air conditioning equipment required for the four-story
dwelling will also result in unacceptable noise levels in this single family dwelling
neighborhood.
10. There will be a great deal more concrete in the rezoning proposal than in single
family dwellings and will cause impact to storm water run off and surface water
retention.

For these reasons, the proposed rezoning near Crow Creek Road, Case No. REZ14-11, will
negatively impact existing residential amenity.

(detach here)
The undersigned - opposes / does not oppose (circle one) Petition of the Real Estate Equities Homes - Crow
Creek Road, LLC (RE214-11)

Comments: SEE ATTACHED



Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME CHARLES PORTER
ADDRESS 1333 CROW CREEK RD
DATE BETTENDORF, IA 52722
(please print legibly)

23 SEP 2014

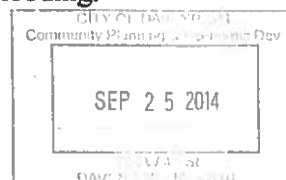
The residents of Crow Creek Road in Bettendorf, and also residents of other parts of our neighborhood to the South, were impacted by several significant floods during the 1980's and 1990's, due to heavy rains. Basements and streets were flooded and other damage occurred. The floods grew worse as more development to the North (in Davenport) resulted in more concrete, streets and parking lots, resulting in storm run-off with nowhere to go but into Bettendorf. Crow Creek Road itself was under several feet of water on more than one occasion. My wife and daughter actually had to be rescued from their car when they drove into the water during one of these flood events, unable to see the water in the dark.

The city of Bettendorf responded to the problem by creating a flood water retention area. Although the retention area was in Davenport, we were told that there was an agreement between the cities. Bettendorf would build and maintain the area and there was to be no development in the area that it covered. The retention area has been in existence for over 10 years, and even though there have been heavy rains, there has been no flooding. It has worked well.

The proposed re-zoning and subsequent development appears to reduce the size of the retention area by nearly 60%, as well as adding additional concrete and other impermeable surfaces that will significantly increase storm water runoff. It also violates the commitment that was made to residents regarding no development in the retention area.

We cannot control development outside the retention area. However, it is essential that it must be maintained at its current size to continue to protect Bettendorf citizens from flooding.

Charles Porter



(detach here)

The undersigned opposes / does not oppose (circle one) Petition of the Real Estate Equities Homes - Crow Creek Road, LLC (REZ14-11)

Comments: Keep the water catchment area intact as it is now. With this construction and paving, we need this more than ever. I do not oppose the rest of the project.

Mail to: Plan and Zoning Commission
City Hall

Davenport, Iowa 52801
Community Planning & Economic Dev.

SEP 30 2014

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

226 W 4th St
DAVENPORT IA 52801

NAME Nelson H. Chesney
ADDRESS 1321 Crow Creek Rd Bett.
DATE 09-30-14
(please print legibly)

(detach here)

The undersigned opposes / does not oppose (circle one) Petition of the Real Estate Equities Homes - Crow Creek Road, LLC (REZ14-11)

Comments: Have received NOTICES For meetings 1 Business day before they occur. Too much ADDITIONAL traffic for type of road. Too High a density of CITIZENS IN THAT PARCEL. Too High A BUILDING for that location. TOTALLY OPPOSE

Mail to: Plan and Zoning Commission
City Hall
Davenport, Iowa 52801

NAME Kent Stoefen
ADDRESS 4067 Bunker Hill Dr Bettendorf IA
DATE 9/22/14 52722
(please print legibly)

ADDRESS OF PROPERTY IN NOTICE AREA IF OTHER THAN MAILING ADDRESS

Davenport Plan & Zoning Commission,

In regards to Case No. REZ14-11, I Kevin James living at 4700 Coventry Court, Davenport, IA do not oppose the rezoning petition from "A-1" to "R-5M PUD"

I do however request that the commission and City staff take into consideration the below concerns/thoughts I have in regard to the rezoning and development concept.

- I have worked with the developer Real Estate Equities Homes – Crow Creek Road, LLC and they have assured me the cul-de-sac would be turned "northward" and pushed back from the houses on the east side of the property. This is to create a proper buffer between the cul-de-sac and residential properties to the east of the development. This is not reflected in the concept drawing originally sent, but I have been told the updated site plan will be the current one.
- Consideration should be given that the cul-de-sac on the east side of the property is directly behind houses and their back property line. I am one of those residents. A cul-de-sac configuration like this is extremely rare (I believe it does not exist in the City of Davenport) where the cul-de-sac directly ends at residential property lines. Most common is to have residential properties backup to each other. Proper distance will address safety concerns and also limit the impact that my neighbors and I have a street in front of our property and a cul-de-sac on the backside.
- Due to the planned configuration of the street and cul-de-sac, the developer should provide proper distance and year around landscaping coverage at the end of this cul-de-sac. Planting of shrubs, trees, and bushes should be done immediately once re-grading starts, so plants have time to mature, even if the street and residential lots are not built immediately.
- Street lighting for this cul-de-sac should take into consideration the adjacent residential houses and not impact them negatively.
- If re-grading does impact the shape of the current retention pond and surrounding land, proper matching to existing properties to the east of the development should be applied. This matching of grading would ensure that there are not awkward drainage ditches or valleys. This may even mean re-grading of residential properties to the east of the development, if necessary.

Overall, my thoughts are that if the single family lot section of the development concept is built, that it would visually look like it fits into the overall neighborhood area. This means the street and lot configuration look like it is properly placed and not crammed into the overall site for maximum lot capacity.

Thank you.

Kevin James
4700 Coventry Ct
Davenport, IA 52807
563-940-2061

City of Davenport

Committee: Community Development Committee
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 326-7743
Wards: 3rd

Action / Date
CD11/5/2014

Subject:

First Consideration: Ordinance for Case No. ROW14-03 being the petition of the City of Davenport for the right-of-way vacation (abandonment) of 0.75 acre, more or less, of property former known as 2nd Street located east of LeClaire Street and south of East 3rd Street; adjacent to the southeast of 227 LeClaire Street. The street pavement was removed a number of years ago due to concerns over traffic movements and miss-turns at the Arsenal Bridge intersection. However, the vacation (abandonment) of the right-of-way status was not properly concluded at that time; this request would correct a procedural error and complete that process. [3rd Ward]

Recommendation:

Findings:

- The street pavement has already been removed.

- The City previously attempted the vacation but did not follow proper procedure.

Recommendation: The City Plan and Zoning Commission accepted the listed finding and forwards Case No. ROW14-03 to the City Council for approval subject to the following:

1. That utility easements be retained until such time as development causes the abandonment and/or relocation of services (this includes electric and storm and sanitary sewer services).

The Commission vote was 7-yes and 0-no with 0-abstention.

Relationship to Goals:

Neighborhood Improvement

Background:

The petitioner is proposing the vacation (abandonment) to correct a procedural error by the Public Works Department. The street pavement was removed a number of years ago due to concerns over traffic movements and miss-turns at the Arsenal Bridge intersection.

For further background information please refer to the background materials.

ATTACHMENTS:

Type	Description
□ Cover Memo	ROW 14-03 Ord
□ Cover Memo	Plat of Vacation
□ Cover Memo	ROW 14-03 Background

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development Community Development	Berger, Bruce	Approved	10/28/2014 - 5:43 PM

Committee
City Clerk

Berger, Bruce
Admin, Default

Approved
Approved

10/28/2014 - 5:43 PM
10/29/2014 - 9:18 AM

ORDINANCE NO.

An Ordinance for Case No. ROW14-03 being the petition of the City of Davenport for the right-of-way vacation (abandonment) of 0.75 acre, more or less, of property former known as 2nd Street located east of LeClaire Street and south of East 3rd Street; adjacent to the southeast of 227 LeClaire Street. The street pavement was removed a number of years ago due to concerns over traffic movements and miss-turns at the Arsenal Bridge intersection. However, the vacation (abandonment) of the right-of-way status was not properly concluded at that time; this request would correct a procedural error and complete that process. [3rd Ward]

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. The following described unit of Scott County, Iowa real estate is hereby rezoned. The property has the following legal description:

Part of the Southeast Quarter of Section 8- Township 78 North – Range 4 East of the 5th P.M. being more particularly described as follows:

Beginning at the Southeasterly Corner of Outlot B of Utica Corners 7th Subdivision; thence South 02° 30' 26" East 442.02 Feet along the Westerly Line of Coventry Third Addition to the Northerly right-of-way line of Crow Creek Road; thence South 87° 43' 15" West 748.78 Feet along the said Northerly right-of-way line of Crow Creek Road; thence North 02° 16' 44" West 441.81 Feet to the Southerly Line of Utica Corners 2nd Subdivision; thence North 87° 42' 18" East 747.02 Feet along the Southerly Line of Utica Corners 2nd, 6th and 7th Subdivisions to the said Southeasterly Corner of Outlot B of Utica Corners 7th Subdivision and the Westerly Line of Coventry Third Addition and the Point of Beginning. This parcel contains 7.587 acres, more or less. (For the purposes of this description the Westerly Line of Coventry Third Addition is assumed to bear South 02° 30' 26" East).

The City Plan and Zoning Commission accepted the listed finding and forwards Case No. ROW14-03 to the City Council for approval subject to the following:

1. That utility easements be retained until such time as development causes the abandonment and/or relocation of services (this includes electric and storm and sanitary sewer services).

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful

provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____

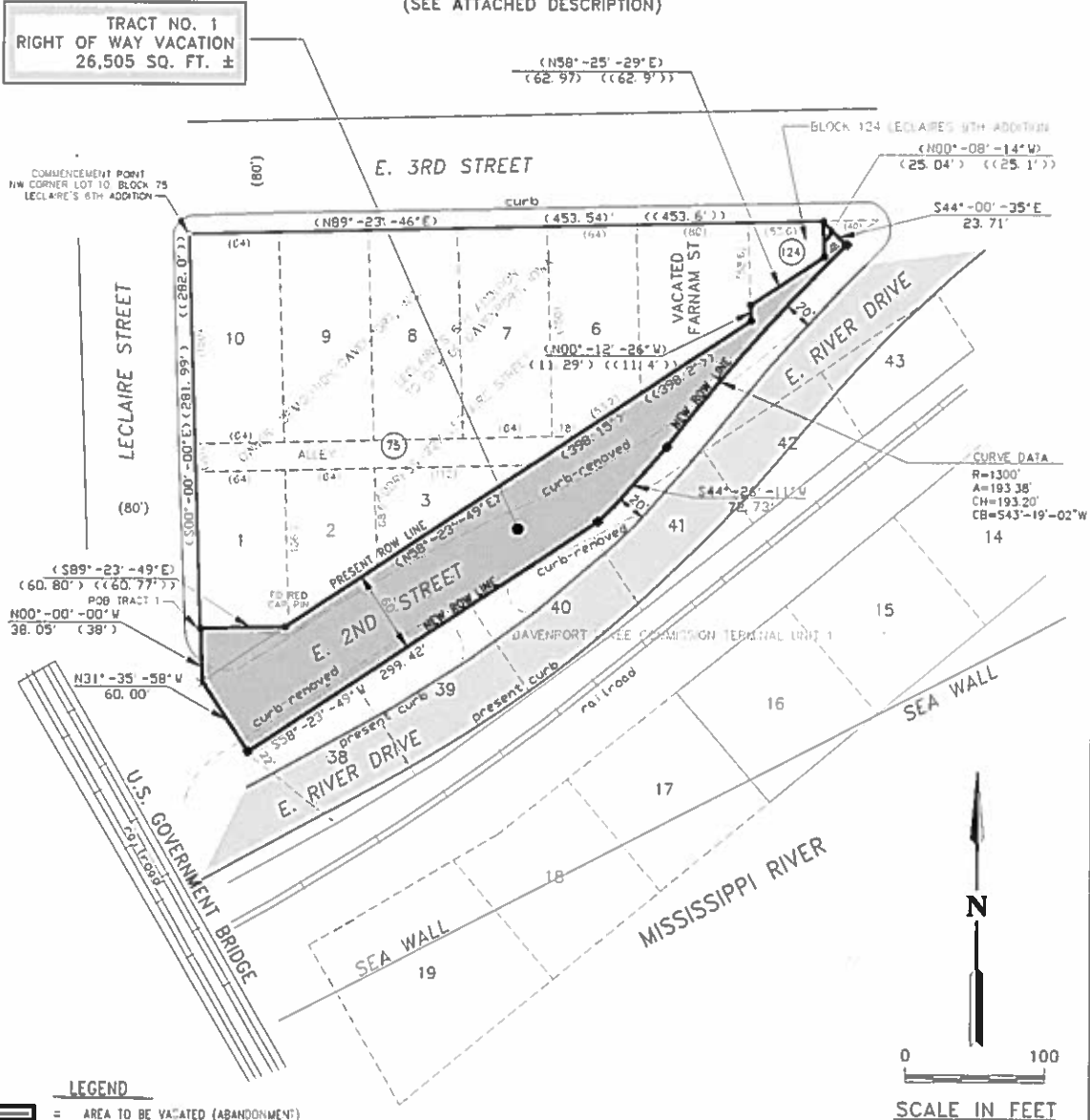
Jackie Holecek, CMC
Deputy City Clerk

Published in the *Quad City Times* on _____

PLAT OF RIGHT OF WAY VACATION

(ABANDONMENT - E. 2ND STREET)

SITUATED IN PART OF THE NW 1/4 OF SECTION 36, T78N, R3E OF THE 5TH P. M.
CITY OF DAVENPORT, SCOTT COUNTY, IOWA
(AS SHOWN BELOW)
(SEE ATTACHED DESCRIPTION)

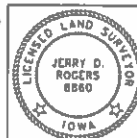


CITY OF DAVENPORT
ENGINEERING DIVISION
1200 EAST 46TH STREET
DAVENPORT, IOWA 52807
Phone: 563-326-7729

PARCEL NO. 1
PARCEL OWNER:
CITY OF DAVENPORT
226 WEST FOURTH STREET
DAVENPORT, IOWA 52801

LOCATION: PART NW 1/4, SEC
36 T.78N., R.3E. OF 5TH P.M.
PROJECT NO.
DWG. FOLDER: CLARION HOTEL
SCALE: 1"=100'

DRAWN BY: J.R.
REVIEWED BY: J.E.Q.
DATE: 10-20-14
REVISED:
SHEET NO. 1 OF 2



"I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

Signature: Jerry D. Rogers
Date: 10-20-14 License No. 8860
My License renewal date is December 31, 2015
Pages or sheets covered by this seal: 1



October 17, 2014

Honorable Mayor and City Council
City Hall
Davenport IA 52801

Honorable Mayor and City Council:

At its regular meeting of October 14, 2014, the City Plan and Zoning Commission considered Case No. ROW14-03 being the petition of the City of Davenport for the right-of-way vacation (abandonment) for former East 2nd Street located east of LeClaire Street and adjacent to the southeast of 227 LeClaire Street.

Findings:

- The street pavement has already been removed.
- The City previously attempted the vacation but did not follow proper procedure.
- There is development that would incorporate the vacated right-of-way in their plans.

Recommendation:

Staff recommends the City Plan and Zoning Commission accept the listed findings and forward Case No. ROW14-03 to the City Council for approval subject to the following:

1. That utility easements be retained until such time as development causes the abandonment and/or relocation of services (this includes electric and storm and sanitary sewer services).

Respectfully submitted,

Robert Inghram, Chairperson
City Plan and Zoning Commission



		APPROVED	APPROVED	APPROVED					
Name:	Roll Call	REZ14-11 4601 UTICA RIDGE RD (REAR)	F14-12 WELCOME WAY COMM PARK 6TH	ROW14-03 2ND ST ADJ 227 LECLAIRE ST					
Cartee	EX								
Connell	P	Y	Y	Y					
D'Autremont	P	Y	Y	Y					
Elgatian	EX								
Gere	EX								
Inghram	P								
Kelling	P	Y	Y	Y					
Lammers	P	Y	Y	Y					
Martin	P	Y	Y	Y					
Martinez	P	Y	Y	Y					
Tallman	P	AB	Y	Y					
		6-YES 0-NO 1-ABSTAIN	7-YES 0-NO 0-ABSTAIN	7-YES 0-NO 0-ABSTAIN					



PLAN AND ZONING COMMISSION

Meeting Date: November 04, 2014

Request: Right-of-Way Vacation 0.75 acre, more or less, of former 2nd Street

Location: East of LeClaire Street and south of East 3rd Street; adjacent to the southeast of 227 LeClaire Street

Case No.: ROW14-03

Applicant: City of Davenport

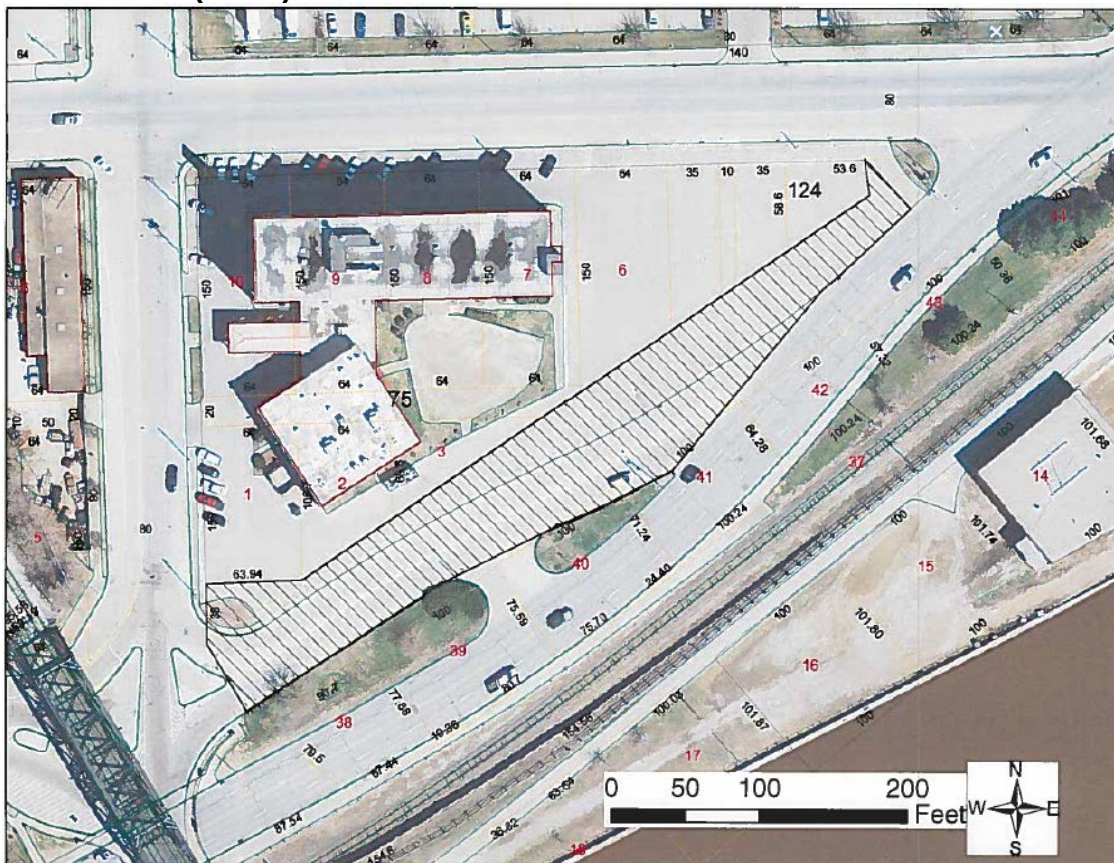
Recommendation:

Staff recommends the City Plan and Zoning Commission accept the findings and forward Case No.ROW14-03 to the City Council for approval subject to the stated condition(s).

INTRODUCTION:

The petitioner is seeking a Right-of-Way Vacation of 0.75 acre, more or less, of property former known as 2nd Street located east of LeClaire Street and south of East 3rd Street; adjacent to the southeast of 227 LeClaire Street. The street pavement was removed a number of years ago due to concerns over traffic movements and miss-turns at the Arsenal Bridge intersection. However, the vacation (abandonment) of the right-of-way status was not properly concluded at that time; this request would correct a procedural error and complete that process.

Aerial Photo (2009)



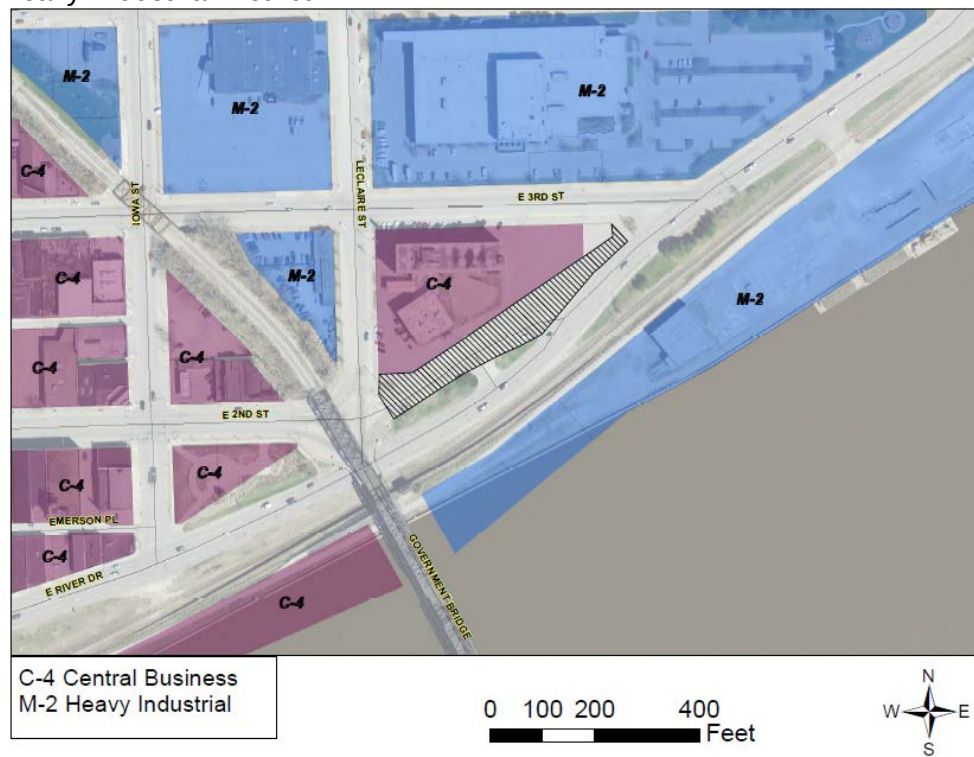
BACKGROUND:

Comprehensive Plan: Within Urban Service Area: Yes

Land Use: The surrounding land is designated Commercial Neighborhood to the north and west; and Parks & Recreation to the south along the Mississippi River



Zoning: The subject and surrounding properties are zoned “C-4 Central Business District and “M-2” Heavy Industrial District.



Technical Review:

Streets: The subject property was known as 2nd Street. The street pavement was removed a number of years ago due to concerns over traffic movements and miss-turns at the Arsenal Bridge intersection. River Drive is adjacent and the Government Bridge intersection functions with less confusion and increased safety. Connectivity has not been compromised by the pavement removal.

Storm Water: A 30-inch storm sewer crosses the western most portion of the right-of-way. Storm grates are also located along the southern edge of the old pavement area.

Sanitary Sewer: Two sanitary lines are located within the area to be vacated.

Other Utilities: There does appear to be a water line located within this right-of-way and serves a hydrant along the north side. Electrical services may need to be placed in an easement depending on the exact location with relation to the vacation. Electric lines are located in the grassy area that was adjacent to the previous pavement.

Emergency Services: The pavement has previously been removed with no effect on emergency services. As stated previously connectivity has not been compromised by the pavement removal.

Parks / Open Space: The vacation (abandonment) will have no effect on the adjacent park and open space areas.

Public Input:

A public hearing for the Right-of-Way vacation (abandonment) will be held at the September 30, 2014 Plan and Zoning Commission Hearing. No public hearing was apparently held with the previous resolution for vacation as required by state law.

Discussion:

The City is proposing this right-of-way vacation (abandonment) to correct a previous procedural error.

Staff Recommendation:

Findings:

- The street pavement has already been removed.
- The City previously attempted the vacation but did not follow proper procedure.

Recommendation:

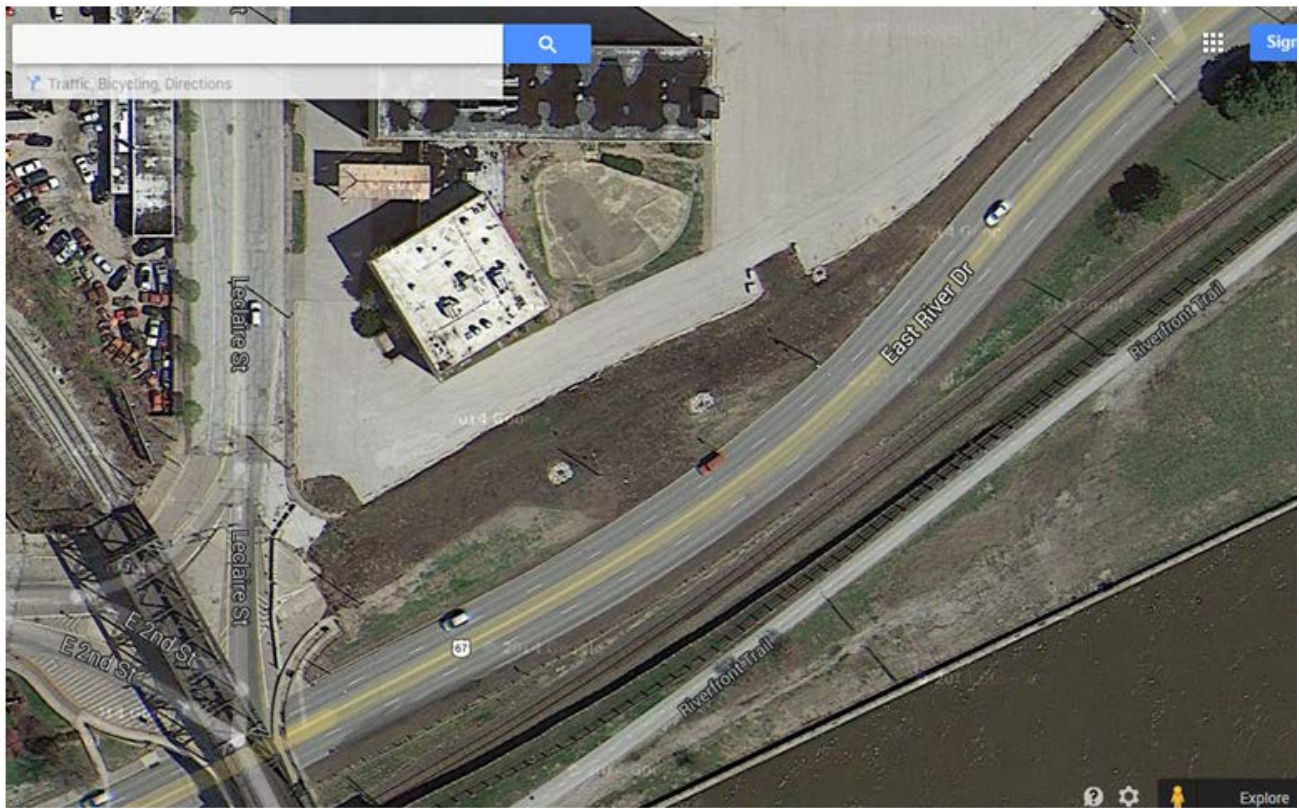
Staff recommends the City Plan and Zoning Commission accept the listed findings and forward Case No. ROW14-03 to the City Council for approval subject to the following:

1. That utility easements be retained until such time as development causes the abandonment and/or relocation of services (this includes electric and storm and sanitary sewer services).

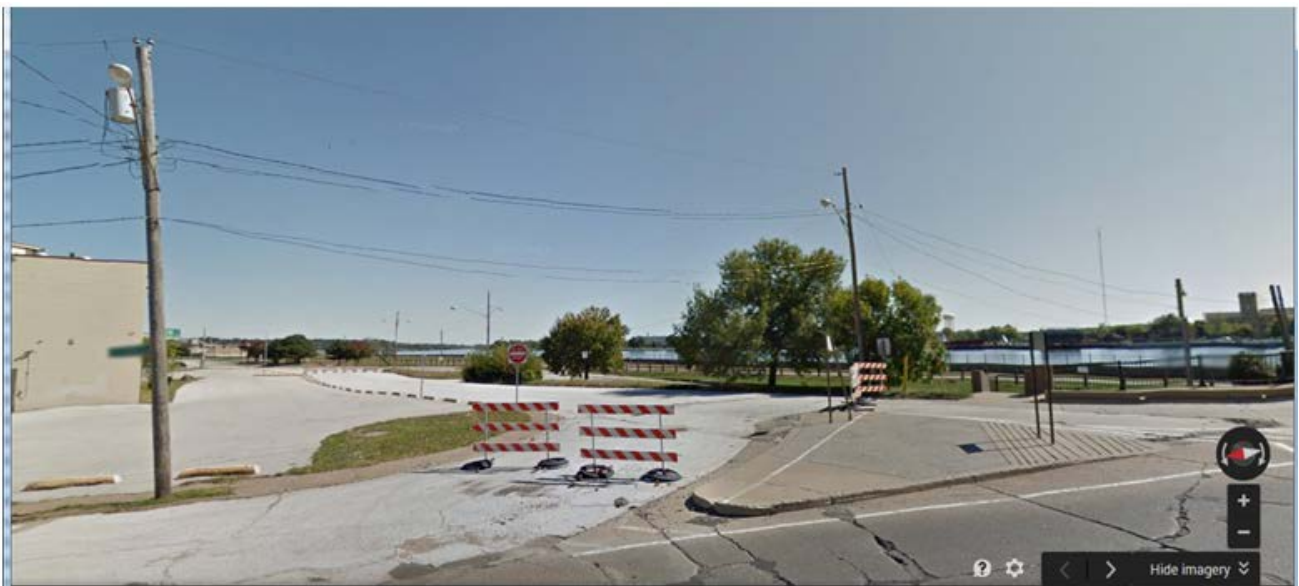
Prepared by:

Wayne Wille, CFM
Planner II

Attachments: Google map views



Overhead view showing 2nd Street pavement removed and barricaded access at Arsenal Bridge



View to east showing access from the Arsenal Bridge and to LeClaire Street (barricaded)



View to the west showing previous pavement 2nd Street (barricaded)

City of Davenport

Committee: Community Development
Department: CPED
Contact Info: Matt Flynn
Wards: 6

Action / Date
CD10/15/2014

Subject:

Third Consideration: Ordinance for Case No. REZ14-09: Petition of Jersey Roads, LC, QC Equity Investments LLC, and Ridges LC to rezone 108.692 Acres, more or less, of real property located north of Veteran's Memorial Parkway, east of Jersey Ridge Road, south of Interstate 80 and west of Interstate 74, from A-1 Agricultural District and R-1, Low Density Dwelling District to PDD – Planned Development District for the purpose of constructing a casino/entertainment/retail complex. (6th Ward). **NOTE: this item will moved to the Special City Council Meeting to be held immediately after this meeting.**

Recommendation:

At its September 30, 2014 meeting, the Plan and Zoning Commission voted 6-yes, 5-no to amend the Proposed Land Use Map in *Davenport 2025: Comprehensive Plan for the City* to reflect a node of CR, Commercial Retail that generally coincides with the proposed rezoning in this case. It also voted 6-yes, 3-no and 1-abstention to recommend approval of the rezoning request. Staff concurs with these recommendations.

Relationship to Goals:

Added emphasis on economic development
Resolve land-based casino

Background:

Scott County Casino, LLC, has announced plans for a new land-based Rhythm City Casino Complex. The project proposes the following:

- o 33,800 square foot casino floor
- o 7 story, 143 room hotel (95 feet in height)
- o Flexible event center seating up to 1500
- o 298,000 square feet total building envelope
- o 2093 parking spaces

In addition to the casino complex, the request also provides for RDD Zoning for complimentary commercial development known as River80. While exact details may change, the required concept plan (attached) includes the following in River80:

200 room resort hotel
250,000 square foot shopping center
150,000 square foot shopping center
100,000 square feet of office space

Staff and the Comprehensive Plan Committee of the Plan and Zoning Commission concur that the Plan should be amended, the development is appropriate for the location, and any impacts generated will be able to be addressed through conditions largely included with the Final Development Plan or proposed subdivisions or simply meeting the requirements of the City's Site Plan Regulations, which are specifically designed to address buffering between uses of different intensities.

Findings:

1. The property is within the Urban Service Area; all utilities, emergency services and streets are available.
2. This project has been envisioned by the City since pursuit of a land based casino began in 2007. The Veteran's Memorial Parkway Corridor has been considered a prime general location for years.
3. Changing the Proposed Land Use designation from CN to CR does not constitute a radical change in how the area may ultimately develop.
4. In support of Comprehensive Plan Goal No. 2, no other land in the City within the Urban Service Area can accommodate the proposed development.
5. The availability of land suitable for low density development will not be appreciably diminished.
6. In support of Comprehensive Plan Goal No. 7, this development provides a unique opportunity to capitalize on the most visible and accessible site for commercial development in the City and indeed, the Quad City Metropolitan Area. Without zoning approval, these opportunities are in danger of being lost to outlying areas or not being constructed at all.
7. Moving forward supports the Council Goal of added emphasis on economic development. Abandoning the project will send a negative message to local developers, and beyond.
8. Neighborhoods in the vicinity, beyond seeing additional traffic on the collector and arterial road network that will occur regardless, will not be impacted.

THE PROTEST RATE IS 0.0% (0 of 7 property owners within the 200 foot notice area)

For further information please refer to the background materials.

ATTACHMENTS:

Type	Description
☐ Ordinance	REZ14-09 Ordinance
☐ Backup Material	REZ14-09 Background information

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Berger, Bruce	Approved	10/28/2014 - 5:47 PM
Community Development Committee	Berger, Bruce	Approved	10/28/2014 - 5:47 PM
City Clerk	Admin, Default	Approved	10/29/2014 - 9:24 AM

ORDINANCE NO.

ORDINANCE for Case No. REZ14-09: Petition of Jersey Roads, LC, QC Equity Investments LLC, and Ridges LC to rezone 108.692 Acres, more or less, of real property located north of Veteran's Memorial Parkway, east of Jersey Ridge Road, south of Interstate 80 and west of Interstate 74, from A-1 Agricultural District and R-1, Low Density Dwelling District to PDD – Planned Development District for the purpose of constructing a casino/entertainment/retail complex. (6th Ward)

Rhythm City/I-80 Reinvestment District Rezoning Description:

Part of the northeast quarter of Section 6 and the Northwest quarter of Section 5, all in Township 78 North, Range 4 East of the 5th Principal Meridian; more particularly described as follows:

Beginning at the intersection of the westerly Right of Way line of Interstate 74 and the northerly Right of Way line of Veterans Memorial Parkway, thence, along said northerly line, South 87 degrees 38 minutes 26 seconds West, a distance of 147.35 feet; thence, continuing along said northerly line, South 80 degrees 53 minutes 55 seconds West, a distance of 553.77 feet; thence, continuing along said northerly line, South 77 degrees 51 minutes 09 seconds West a distance of 441.41 feet; thence, continuing along said northerly line, South 87 degrees 38 minutes 17 seconds West, to the East line of the Northeast quarter of Section 6, a distance of 1105.44; thence, north along said east line, North 02 degrees 01 minutes 00 seconds West, a distance of 1323.03 feet; thence, South 88 degrees 06 minutes 10 seconds West, a distance of 621.99 feet; thence North 01 degrees 54 minutes 55 seconds West, to the southerly Right of Way line of Interstate 80, a distance of 905.34 feet; thence, along said southerly line North 87 degrees 27 minutes 29 seconds East, a distance of 1416.16 feet; thence, continuing along said southerly line, South 83 degrees 56 minutes 39 seconds East, a distance of 220.28 feet; thence, continuing along said southerly line, South 76 degrees 33 minutes 44 seconds East, a distance of 184.22 feet, to an arc and the transition to westerly Right of Way line of Interstate 74; thence, along said arc and Right of Way, a distance of 815.17 feet, said arc being concave southwesterly, having a radius of 1076.00 feet and a delta angle of 43 degrees 24 minutes 25 seconds, a chord bearing of South 52 degrees 52 minutes 09 seconds East, and a chord length of 795.82 feet; thence, along

said westerly line, South 19 degrees 20 minutes 53 seconds East, a distance of 78.60 feet; thence, continuing along said westerly line, South 16 degrees 08 minutes 55 seconds East, a distance of 217.00 feet; thence, continuing along said westerly line, South 25 degrees 08 minutes 44 seconds East, a distance of 252.87; thence, continuing along said westerly, South 16 degrees 20 minutes 49 seconds East, a distance of 1020.46 feet, to the point of beginning.

The above described tract contains 108.692 acres, more or less. For the purposes of the above description the east line of the northeast quarter of Section 6 is assumed to have a bearing of North 02 degrees 01 minutes 00 second West.

The City Plan and Zoning Commission recommended approval including a provision that the Comprehensive Plan be amended as follows:

1. That a of node of CR, Commercial Retail, generally matching the legal description above, and a node of RG, Residential General, for the balance of the property, bounded by Interstates 80 and 74, Veteran's Memorial Parkway and Jersey Ridge Road be depicted on the Proposed Land Use Map in Davenport 2025, Comprehensive Plan for the City.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

William E. Gluba
Mayor

Attest: _____

Jackie Holecek, CMC
Deputy City Clerk

Published in the Quad City Times on _____



**Plan and Zoning Commission
City of Davenport**

October 1, 2014

Mayor and City Council
City of Davenport Iowa
City Hall, 226 West 4th Street
Davenport, Iowa 52801

Subject: REZ14-09

Dear Mayor Gluba and Council Members:

At its September 30, 2014 meeting, the Plan and Zoning Commission voted 6-yes (Elgatian, Tallman, Gere, Connell, d'Autremont, Ingram) 5-no (Cartee, Martin, Lammers, Kelling, Martinez) to amend the Proposed Land Use Map in *Davenport 2025: Comprehensive Plan for the City* to reflect a node of CR, Commercial Retail that generally coincides with the proposed rezoning in this case.

Also at this meeting, the Davenport Plan and Zoning Commission voted 6-yes (Elgatian, Tallman, Gere, Connell, d'Autremont, Cartee) and 3-no and 1-abstention (Kelling) to recommend the City adopt the petition of Jersey Roads, LC, QC Equity Investments LLC, and Ridges LC to rezone 108.692 Acres, more or less, of real property located north of Veteran's Memorial Parkway, east of Jersey Ridge Road, south of Interstate 80 and west of Interstate 74, from A-1 Agricultural District and R-1, Low Density Dwelling District to PDD – Planned Development District for the purpose of constructing a casino/entertainment/retail complex (6th Ward).

Sincerely,

Bob Ingram, Chair
Davenport Plan and Zoning Commission

**CITY PLAN AND ZONING COMMISSION
MINUTES
SEPTEMBER 30, 2014
COUNCIL CHAMBERS – DAVENPORT CITY HALL**

I. Call to Order

Chairperson Inghram called the regular meeting to order at approximately 5:25 p.m. following the public hearing.

Roll Call: Cartee, Connell, d'Autremont, Elgatian, Gere, Inghram, Kelling, Lammers, Martin, Martinez, and Tallman were present. Staff also present: Flynn, Koops, Leabhart, Statz, Wille and attorney Heyer.

II. Report of Council Activity – as presented in the packet.

III. Secretary's Report/Approval of Minutes – A motion by Tallman, seconded Connell to approve the Minutes of the September 16th meeting.

IV. Comprehensive Plan Report –

- 1. Case No. CP14-06:** Request to amend the Proposed Land Use Map in *Davenport 2025: Comprehensive Plan for the City* to reflect a node of CR, Commercial Retail, that coincides with the proposed rezoning request in Case REZ14-09.

The Comprehensive Plan Committee met on September 22, 2014 to discuss this case. In a vote of 4-yes and 2-no, it supports amending the Proposed Land Use Map in *Davenport 2025: Comprehensive Plan for the City* to reflect a node of CR, Commercial Retail, that coincides with the proposed rezoning request in Case REZ14-09 for the following reasons:

1. The property is within the Urban Service Area; all utilities, emergency services and streets are available.
2. This project has been envisioned by the City since pursuit of a land based casino began in 2007. The Veteran's Memorial Parkway Corridor has been considered a prime general location for years.
3. Changing the Proposed Land Use designation from CN to CR does not constitute a radical change in how the area may ultimately develop.
4. In support of Plan Goal No. 2, no other land in the City within the Urban Service Area can accommodate the proposed development.
5. The availability of land suitable for low density development will not be appreciably diminished.
6. In support of Plan Goal No. 7, this development provides a unique opportunity to capitalize on the most visible and accessible site for commercial development in the City and indeed, the Quad City Metropolitan Area. Without zoning approval, these opportunities are in danger of being lost to outlying areas or not being constructed at all.

7. Moving forward supports the Council Goal of added emphasis on economic development. Abandoning the project will send a negative message to local developers, and beyond.
8. Neighborhoods in the vicinity, beyond seeing additional traffic the collector and arterial road network that will occur regardless, will not be impacted.

The amendment will be included as a condition in REZ14-09.

A motion by Gere, seconded by d'Autremont, to accept the Committees recommendation amending the Proposed Land Use Map in *Davenport 2025: Comprehensive Plan for the City* to reflect a node of CR, Commercial Retail, that coincides with the proposed rezoning request in Case REZ14-09 was approved on a split vote of 6-yes and 5-no.

V. Zoning Activity –

A. Old Business –

1. **Case No. REZ14-08:** Petition of Brad Tidwell and Patrick Rooney on behalf of Commanch Moon LLC for the rezoning of 9.79 acres, more or less, of real property located at 3616 West Kimberly Road also known as Lot 1 of the Replat of Lot 1 of the Replat of Lot 89 of Georgetown Square Addition to the City of Davenport, excepting therefrom the southerly 15.5 feet conveyed to the State of Iowa., from “C-2” General Commercial District to “PDD” Planned Development District for the purpose of converting the former Kmart building into climate controlled self-storage along with two one acre out lots within the parking lot.

Findings:

- The proposed rezoning conforms to the goals and objectives of the Comprehensive Plan

Staff recommends the Plan and Zoning Commission forward Case No. REZ14-08 to the City Council for approval subject to the following condition:

1. That no outdoor storage is permitted; and
2. That when pad sites are developed a final development plan is required and development is subject to the Highway Corridor Overlay District requirements.

A motion by Tallman, seconded by Martin, to forward Case No. REZ14-08 to the City Council for approval subject to the above stated conditions was unanimously approved on a vote of 10-yes, 0-no and 0-abstention.

B. New Business – None.

1. **Case No. REZ14-10:** Petition of Naval Station, LLC for a rezoning of 1.29 acres, more or less, of real property from “R-4” Moderate Density Dwelling District to “R-5M” Medium Density Dwelling District, located at 2104 West 6th Street, to facilitate renovation of the building to 18 senior residential units.

Findings:

- the rezoning will reduce the number of under occupied, abandoned, or vacant buildings/properties through adaptive reuse
- the rezoning will increase the number of mixed-use neighborhoods and districts

Staff recommends the Plan and Zoning Commission accepts this report's findings and forward Case No. REZ14-10 to the City Council with a recommendation of approval.

A motion by Tallman, seconded by d'Autremont to forward Case No. REZ14-10 to the City Council for approval was unanimously approved on a vote of 10-yes, 0-no and 0-abstention.

- 2. Case No. REZ14-09:** Petition of Jersey Roads LC, QC Equity Investments LLC and Ridges LC for the rezoning of 108.7 acres, more or less, of real property located north of Veterans Memorial Parkway, east of Jersey Ridge Road, south of Interstate-80 and west of Interstate-74 from "A-1" Agricultural District to "PDD" Planned Development District to facilitate development of the land-based casino and commercial development related to the reinvestment district proposal.

Findings:

- The property is within the Urban Service Area; all utilities, emergency services and streets are available.
- This project has been envisioned by the City since pursuit of a land based casino began in 2007. The Veteran's Memorial Parkway Corridor has been considered a prime general location for years.
- Changing the Proposed Land Use designation from CN to CR does not constitute a radical change in how the area may ultimately develop.
- In support of Comprehensive Plan Goal No. 2, no other land in the City within the Urban Service Area can accommodate the proposed development.
- The availability of land suitable for low density development will not be appreciably diminished.
- In support of Comprehensive Plan Goal No. 7, this development provides a unique opportunity to capitalize on the most visible and accessible site for commercial development in the City and indeed, the Quad City Metropolitan Area. Without zoning approval, these opportunities are in danger of being lost to outlying areas or not being constructed at all.
- Moving forward supports the Council Goal of added emphasis on economic development. Abandoning the project will send a negative message to local developers, and beyond.
- Neighborhoods in the vicinity, beyond seeing additional traffic the collector and arterial road network that will occur regardless, will not be impacted.

Recommendation: (Note: Conditions addressing specific development issues are included in the recommendations of Cases FDP14-04, P14-02, and F14-11.

- A. That the Plan and Zoning Commission recommend the City Council designate a node of CR, Commercial Retail, and a node of RG, Residential General, in the area bounded by Interstates 80 and 74, Veteran's Memorial Parkway and Jersey Ridge Road on the Proposed Land Use Map in *Davenport 2025, Comprehensive Plan for the City*.
- B. That the Plan and Zoning Commission recommend approval of Case No. REZ14-09, the request of Jersey Roads LC, QC Equity Investments LLC, and Ridges LC to rezone 108.738 acres, more or less, of property located generally south of I-80 and west of I-74, from A-1 Agricultural District and R-1 Low Density Dwelling District to PDD, Planned Development District.

A motion by Tallman, seconded by d'Autremont to forward Case No. REZ14-09 to the City Council for approval was approved on a split vote of 6-yes, 3-no (Lammers, Martin and Martinez) and 1-abstention (Kelling).

- 3. Case No. FDP14-04:** Petition of Scott County Casino LLC for the final development plan on 40.01 acres, more or less, of property located north of Veterans Memorial Parkway (old East 67th Street) and east of Jersey Ridge Road to allow development of the land based Rhythm City Casino.

A motion, made and seconded, to remove "or refrigeration units" from condition number 1 was unanimously approved.

Findings:

- The proposed development is consistent with the Comprehensive Plan Designation of CR, Commercial Retail and the PDD zoning.

Staff recommends the that Case No. FDP14-04 being the final development plan for the Rhythm City Casino be forwarded to the City Council with a recommendation for approval subject to the following conditions:

Standard Conditions:

1. All development shall meet the requirements of Chapters 13.34 (Stormwater Management), 15.44 (Flood Damage Protection), 17.56 (Site Plans), and all applicable Chapters of the Davenport Municipal Code

Non-Standard Conditions:

1. Lighting. All exterior lighting, including drive aisles, parking lots, pedestrian paths and building lighting, shall utilize LED "Dark Sky" fixtures. Overall illumination standards shall not exceed the limits outlined in Chapter 17.56.040 (O) of the Davenport Municipal Code.
2. Connectivity. The interior circulation network includes at least one driveway and sidewalk connection from proposed Lot 2 (Casino Site) and Lot 4 of River 80 First Addition.
3. Outdoor entertainment. Outdoor concerts and other outdoor special events shall be limited to no more than six (6) per calendar year. Stage and PA orientation shall not be oriented to the south. Owner shall obtain any required variances for noise from the City, if required.

4. Signage. A signage plan for proposed Lot 2 (Casino Site) shall meet the requirements of Chapter 17.45 (Sign Regulations) and shall be reviewed by the Plan and Zoning Commission prior to its approval by the City.
5. Buffering. The owners of proposed Lots 5 and 6 of River 80 First Addition shall work with the City to develop an appropriate buffer, including berms and landscaping, complimentary to that which exists immediately south of Veteran's Memorial Parkway. Any berms shall not conflict with existing or future utility easements.
6. Final Design Review shall be completed in conjunction with site plan review as noted above.

A motion by Tallman, seconded by d'Autremont to forward Case No. FDP14-04 to the City Council for approval subject to the above stated conditions was approved on a split vote of 7-yes, 2-no (Lammers and Martin) and 1-abstention (Kelling).

VI. Subdivision Activity

A. Old Business – None.

B. New Business –

1. **Case No. P14-02:** Preliminary plat of River 80 First Addition being in part a replat of Lots A, B and C of Kahl's First Addition, located north of Veterans Memorial Parkway (old East 67th Street) and east of Jersey Ridge Road containing seven (7) lots.

Findings:

- Upon rezoning, will be consistent with the Comprehensive Plan
- Urban services are available
- Readies land for development.

Staff recommends the Plan and Zoning Commission forward Case No. P14-02, the Preliminary Plat of River80 First Addition, to the Community Development Committee for approval with the following conditions:

Standard Conditions:

1. Upon final platting the required right-of-way and easements are dedicated. This shall include temporary and permanent easements and right-of-way necessary for the construction of Elmore Avenue and Veteran's Memorial Parkway.

Non-Standard Conditions:

1. The City of Davenport is listed as owner/developer of Lot 3 (storm water detention). This is not correct. The developer must discuss the ownership and maintenance of Lot 3 with the City Natural Resources Division to determine what is acceptable to the City.
2. Note number 3 which refers to detention on Lot 3 is to be reviewed by the City Natural Resources Division and corrections made as necessary.

3. Existing streets are shown along with their right-of-way dimensions and pavement widths.
4. Only the existing pavement is to be shown on Veterans Memorial arkway, the proposed pavement should be removed.
5. The name of the surveyor is shown.
6. Current zoning is shown.
7. The boundaries and owners of adjacent land is shown.
8. Existing culverts are shown.
9. Existing storm and sanitary sewers with size are shown.
10. Building setback lines are shown.

A motion by Connell, seconded by d'Autremont to forward Case No. P14-02 to the Community Development Committee for approval subject to the above stated conditions was approved on a split vote of 5-yes, 4-no (Lammers, Martin, Martinez and Cartee) and 1-abstention (Kelling).

2. **Case No. F14-11:** Final plat of River 80 First Addition being in part a replat of Lots A, B and C of Kahl's First Addition, located north of Veterans Memorial Parkway (old East 67th Street) and east of Jersey Ridge Road containing seven (7) lots.

Findings:

- Upon rezoning, will be consistent with the Comprehensive Plan
- Urban services are available
- Readies land for development.

Staff recommends the Plan and Zoning Commission forward Case No. F14-11, the Final Plat of River 80 First Addition, to the City Council for approval with the following conditions:

Standard Conditions:

1. The developer shall continue to work with the Engineering Division in the design and construction of public streets, sanitary sewer and storm sewer. Public infrastructure shall be constructed in conformance with the City's Standard Specifications.
2. With platting necessary street right-of-way and easements are to be dedicated. This shall include temporary easements necessary for the construction of Elmore Avenue and Veteran's Memorial Parkway.
3. The developer shall continue to work with the Natural Resources Division and shall comply with Chapters 13.34 (Stormwater Management), and 15.44 (Flood Damage Prevention), of the Davenport Municipal Code.
4. Owner shall pay the required reforestation fee as stipulated in Chapter 16.20.040(G) of the Davenport Municipal Code.

Non-Standard Conditions:

1. The surveyor signs the plat.
2. The utility companies sign the plat when their easement needs have been met.

3. The Natural Resources Division of the Public Works Department is notified prior to any construction and that the stormwater requirements of City Code Section 13.34 are followed.
4. A note is added to the plat stating that sidewalks shall be constructed along the public right-of-way prior to the issuance of occupancy permits.
5. The required right-of-way and easements are dedicated. This shall include temporary and permanent easements and right-of-way necessary for the construction of Elmore Avenue and Veteran's Memorial Parkway. There is a minimal amount of additional right-of-way needed at the intersection of Elmore and Veteran's Memorial Parkway and some additional right-of-way along Jersey Ridge Road. The Engineering Division will provide the surveyor with details of these right-of-ways needs.
6. The City of Davenport is listed as owner/developer of Lot 3 (storm water detention). This is not correct. The developer must discuss the ownership and maintenance of Lot 3 with the City Natural Resources Division to determine what is acceptable to the City.
7. Stormwater detention calculations are to be submitted to and approved by the City Natural Resources Division.
8. The graphic scale is corrected.
9. Building setback lines are shown.
10. Existing right-of-way lines are shown and dimensioned.
11. Three elements of all curved lines including radii, arcs and central angles are shown.
12. All lot lines and easement lines have bearings and distances shown.
13. Ties to two quarter corners or two previously established lot corners are shown and identified.
14. Plans for public sanitary sewer are provided to Publics Works for review and approval prior to acceptance of the plat by Council. Street and storm sewer plans are on file. The developer will need to extend sanitary sewer from the existing sewer south of Veteran's Memorial Parkway to the site
15. A note is added to the plat stating that the location of access points to Veteran's Memorial Parkway and Elmore Avenue shall be approved by the City Traffic Engineer and in no case be closer than 350 feet to the centerline of the intersection of Veteran's Memorial Parkway and Elmore Avenue.
16. A red-lined copy of the plat has been returned to the surveyor along with other miscellaneous review comments. The plat is to be updated and then reviewed and approved by the Engineering Division prior to acceptance by Council.
17. Dedication of 20' wide utility easements along the front of all lots fronting public streets.
18. Dedication of a minimum 25'x25' "power only" easement area at the front lot lines on the north side of proposed Elmore Avenue.
19. Note 2 is amended to indicate that the developer is responsible for construction and stabilization of the detention basin along with installation of native vegetation selected and as directed by the City of Davenport. After a three year maintenance bond, guarantee, or contract, the city will assume responsibility for maintenance of the basin.

20. If the developer requests signalization in the future for any of the entrances in this development, the cost of signalization shall be completely paid for by the developer. Traffic signal warrants from the Manual on Uniform Traffic Control Devices (MUTCD) must be met before signalization is approved. All locations must be approved by the City Traffic Engineer. All traffic signals for this development can be designed and bid by City staff if the developer wishes and the signals will be owned and maintained by the City after installation.
21. If traffic signals meet MUTCD warrants in the future at the intersection of Elmore Avenue and Jersey Ridge Road, the developer shall pay 100% of the cost of signalization. This cost share percentage was calculated based on the fact that the intersection would not have existed if not for the development. These signals will be designed and bid by the City.
22. If traffic signals meet MUTCD warrants in the future at the intersection of Veterans Memorial Parkway and Jersey Ridge Road, the developer shall pay 33% of the cost of signalization, which will also include the changes in the roadway design and paving at the intersection. This cost share percentage was calculated based on the percentage of traffic from the intersection that was generated by the development. This project will be designed and bid by the City.
23. The developer shall pay 20% of the cost of signalization at the intersection of Elmore Avenue and Veterans Memorial Parkway. These signals are being designed by the City and will be constructed with the Veterans Memorial Parkway project. The cost share has a cap of 20% due to the 80% federal funding for the project.
24. The developer shall install a 2-inch PVC conduit near the back of curb along Elmore Avenue from Veterans Memorial Parkway south to the existing dead end of Elmore. This will be used for future communication to the new signals at the intersection.

A motion by Connell, seconded by d'Autremont to forward Case No. P14-02 to the Community Development Committee for approval subject to the above stated conditions was approved on a split vote of 5-yes, 4-no (Lammers, Martin, Martinez and Cartee) and 1-abstention (Kelling).

VII. Future Business

The following previews were included in the packet:

- Case No. F14-12: Final plat of Welcome Way Commercial Park Sixth Addition, being a replat of Lots 1, 2 and 3, and Outlots A and B of Welcome Way Commercial Park Fifth Addition, located west of Welcome Way and at the terminus of Sheridan Street, containing 1 industrial lot and one outlot (floodplain, drainage easement, greenway).
- Case No. REZ14-12: Petition of Genesis Health System, contract purchasers, for a rezoning of 3.09 acres, more or less of real property from "R-3" Moderate Density Dwelling District and "PDD" Planned Development District to all "PDD" Planned Development District. The property is located at the northeast corner of North Elsie Ave and West Kimberly Road and the purpose

of the rezoning is to facilitate the development of the property as medical office.

VIII. Communications – none

VIII. Other Business –

IX. Adjourn

There being no further business the regular meeting was adjourned at approximately 6:12 p.m.

Note: All staff reports and presentations are incorporated into these minutes by this reference.



PLAN AND ZONING COMMISSION

Meeting Date: September 30, 2014
Request: Rezoning from A-1 Agricultural and R-1, Low Density residential District to PDD – Planned Development District
Location: 108.738 Acres, more or less located north of Veteran's Memorial Parkway, east of Jersey Ridge Road, south of Interstate 80, and west of Interstate 74.
Project Name: Rhythm City Casino, River 80 Reinvestment District
Case No.: REZ14-09
Petitioner: Jersey Roads, LC, QC Equity Investments LLC, Ridges LC

Prepared By: Matthew G. Flynn, AICP, Senior Planning Manager
Tel: (563) 326-7743
E-mail: mflynn@ci.davenport.ia.us

STAFF RECOMMENDATION

1. Staff recommends the Proposed Land Use Map of *Davenport 2025: Comprehensive Plan of the City* be amended to reflect CR, Commercial Retail as illustrated.
2. Staff recommends Case No. REZ14-09 be forwarded to the City Council with the listed conditions included in this report.

BACKGROUND

Overview:

Scott County Casino, LLC, has announced plans for a new land-based Rhythm City Casino Complex. The project proposes the following:

- o 33,800 square foot casino floor
- o 7 story, 143 room hotel (95 feet in height)
- o Flexible event center seating up to 1500
- o 298,000 square feet total building envelope
- o 2093 parking spaces

In addition to the casino complex, the request also provides for RDD Zoning for complimentary commercial development known as River80. While exact details may change, the required concept plan (attached) includes the following in River80:

200 room resort hotel
250,000 square foot shopping center
150,000 square foot shopping center
100,000 square feet of office space

This is a complex proposal with five separate approvals necessary to move the project forward. They are:

CP14-06: Amendment to the Proposed Land Use Map designating a node of CR, Commercial Retail

REZ14-09: The rezoning of the property

FDP14-04: The Final Development Plan for the Rhythm City Casino

P14-02: The River80 Preliminary Plat

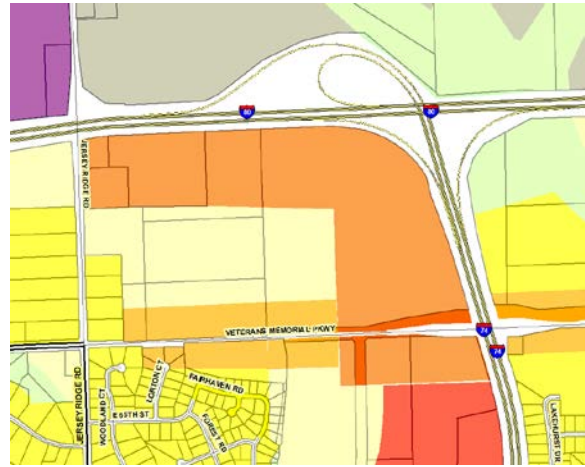
F14-11: The Final Plat of River80 First Addition

Many of the attachments have been consolidated and filed under the Staff Report for CP14-06. Case specific attachments are included in their respective reports.

General Area Characteristics:



Existing Zoning



Davenport 2025 Future Land Use
(see attachment for detail)

Refer to the attachments for detailed maps, illustrations and other information.

Comprehensive Plan:

Within Urban Service Area: Yes

Proposed Land Use Designation: Residential General (RG), Commercial Neighborhood (CN), and Residential Corridor (RC).

Relevant *Davenport 2025* Goals and Objectives:

2. Identify and reserve land for current and future development.

a. Develop land use policies that permit development with a wide variety of building types, uses, and densities.

7. Create a positive business climate that encourages growth of existing and new businesses.

a. Retain existing and attract new business and industry.

Comprehensive Plan Committee Discussion. On September 22, 2014, the Comprehensive Plan Committee voted 4-2 to recommend amending the Proposed Land Use Map to reflect a node of CR, Commercial Retail, that generally coincides with the

proposed rezoning request. See staff report for CP14-06 for a complete discussion of Comprehensive Plan implications.

Iowa Smart Planning Principles:

Relevant Iowa Smart Planning Principles which may be considered when reviewing this case:

Community Character

Planning, zoning, development, and resource management should promote activities and development that are consistent with the character and architectural style of the community and should respond to local values regarding the physical character of the community.

Sustainable Design

Planning, zoning, development, and resource management should promote developments, buildings, and infrastructure that utilize sustainable design and construction standards and conserve natural resources by reducing waste and pollution through efficient use of land, energy, water, air, and materials.

Relationship between Planned Development District (PDD) and Casino Overlay District (COD):

An overlay district establishes special requirements to a given area, regardless of zoning. The City has one other overlay district, the HCOD, Highway Corridor Overlay District.

The COD was established in 2007 in anticipation of a possible move of the Rhythm City Casino to a land-based operation. At that time, the Council determined in the event of a move, it was important to establish general location parameters and also require, in essence, a final development plan process to ensure quality design with minimal impact to surrounding properties.

The COD requires casino complexes to be located within one mile of an interstate highway or within the C-4, Central Business Zoning District. It also requires the following:

Requirement	Process; Timing
Property to be zoned PDD, Planned Development District	P&Z, Council; P&Z 9-30-14
Final Development Plan	P&Z, Council; P&Z 9-30-14
Traffic Impact Study	P&Z, Council; part of COD
Parking Plan	P&Z, Council; part of COD
Design review meeting the requirements of the HCOD	Staff; underway
Site Plan Review	Staff and Technical Review Committee; prior to issuance of building permits.

Technical Review:

See the staff report for F14-11 for Technical review comments.

PUBLIC INPUT

A neighborhood meeting was held Thursday, August 14, at City Hall. The developer notified property owners well beyond the 200 foot notice area. Approximately 30 people attended. Attendees were advised of the process and encouraged to pay attention and provide input.

Notice has been sent to seven (7) adjacent property owners. In addition, staff has been in contact with the president of the Jersey Farms Neighborhood Association who has in turn kept property owners in the Nottingate Hill and Lakehurst Subdivisions abreast of the case.

In addition, the media has widely publicized the date and time of the public hearing.

As of this writing, no protests have been received. Comments received have included concerns about traffic, noise, lighting, and height of the proposed hotel. Additional comments are included in the attachments.

DISCUSSION

The heart of this proposal is its compatibility with the Comprehensive Plan, the need to amend the Plan, and addressing any impacts the proposed development may have on neighboring subdivisions. The Staff Reports for CP14-06 and FDP14-04 address these issues in more detail.

In summary, staff and the Comprehensive Plan Committee concur that the Plan should be amended, the development is appropriate for the location, and any impacts generated will be able to be addressed through conditions largely included with the Final Development Plan or proposed subdivisions or simply meeting the requirements of the City's Site Plan Regulations, which are specifically designed to address buffering between uses of different intensities.

STAFF RECOMMENDATION

Findings:

1. The property is within the Urban Service Area; all utilities, emergency services and streets are available.
2. This project has been envisioned by the City since pursuit of a land based casino began in 2007. The Veteran's Memorial Parkway Corridor has been considered a prime general location for years.
3. Changing the Proposed Land Use designation from CN to CR does not constitute a radical change in how the area may ultimately develop.
4. In support of Comprehensive Plan Goal No. 2, no other land in the City within the Urban Service Area can accommodate the proposed development.
5. The availability of land suitable for low density development will not be appreciably diminished.
6. In support of Comprehensive Plan Goal No. 7, this development provides a unique opportunity to capitalize on the most visible and accessible site for commercial development in the City and indeed, the Quad City Metropolitan Area. Without zoning approval, these opportunities are in danger of being lost to outlying areas or not being constructed at all.

7. Moving forward supports the Council Goal of added emphasis on economic development. Abandoning the project will send a negative message to local developers, and beyond.
8. Neighborhoods in the vicinity, beyond seeing additional traffic the collector and arterial road network that will occur regardless, will not be impacted.

Recommendation: (Note: Conditions addressing specific development issues are included in the recommendations of Cases FDP14-04, P14-02, and F14-11.

- A. That the Plan and Zoning Commission recommend the City Council designate a node of CR, Commercial Retail, and a node of RG, Residential General, in the area bounded by Interstates 80 and 74, Veteran's Memorial Parkway and Jersey Ridge Road on the Proposed Land Use Map in *Davenport 2025, Comprehensive Plan for the City*.
- B. That the Plan and Zoning Commission recommend approval of Case No. REZ14-09, the request of Jersey Roads LC, QC Equity Investments LLC, and Ridges LC to rezone 108.738 acres, more or less, of property located generally south of I-80 and west of I-74, from A-1 Agricultural District and R-1 Low Density Dwelling District to PDD, Planned Development District.

Attachments

Rhythm City Casino/River 80 Development

PLAN AND ZONING COMMISSION
September 30, 2014



Cases:

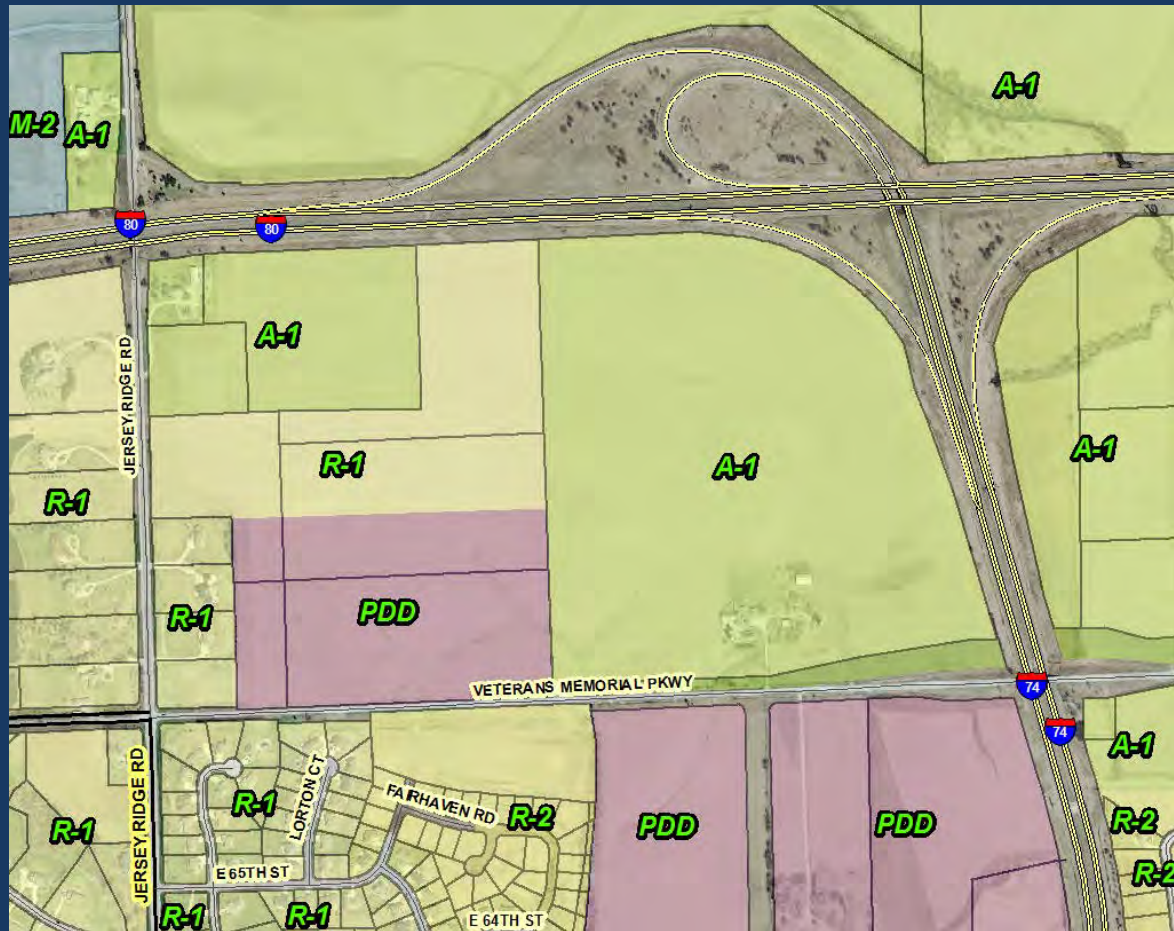
- CP14-06: Proposed Land Use Map Amendment
- REZ14-09: Rezoning from A-1 Agricultural and R-1, Low Density Residential to PDD, Planned Development District
- FDP14-04: Rhythm City Casino Final Development Plan
- P14-02: River80 Preliminary Plat
- F14-11: River80 First Addition Final Plat



General Location Map



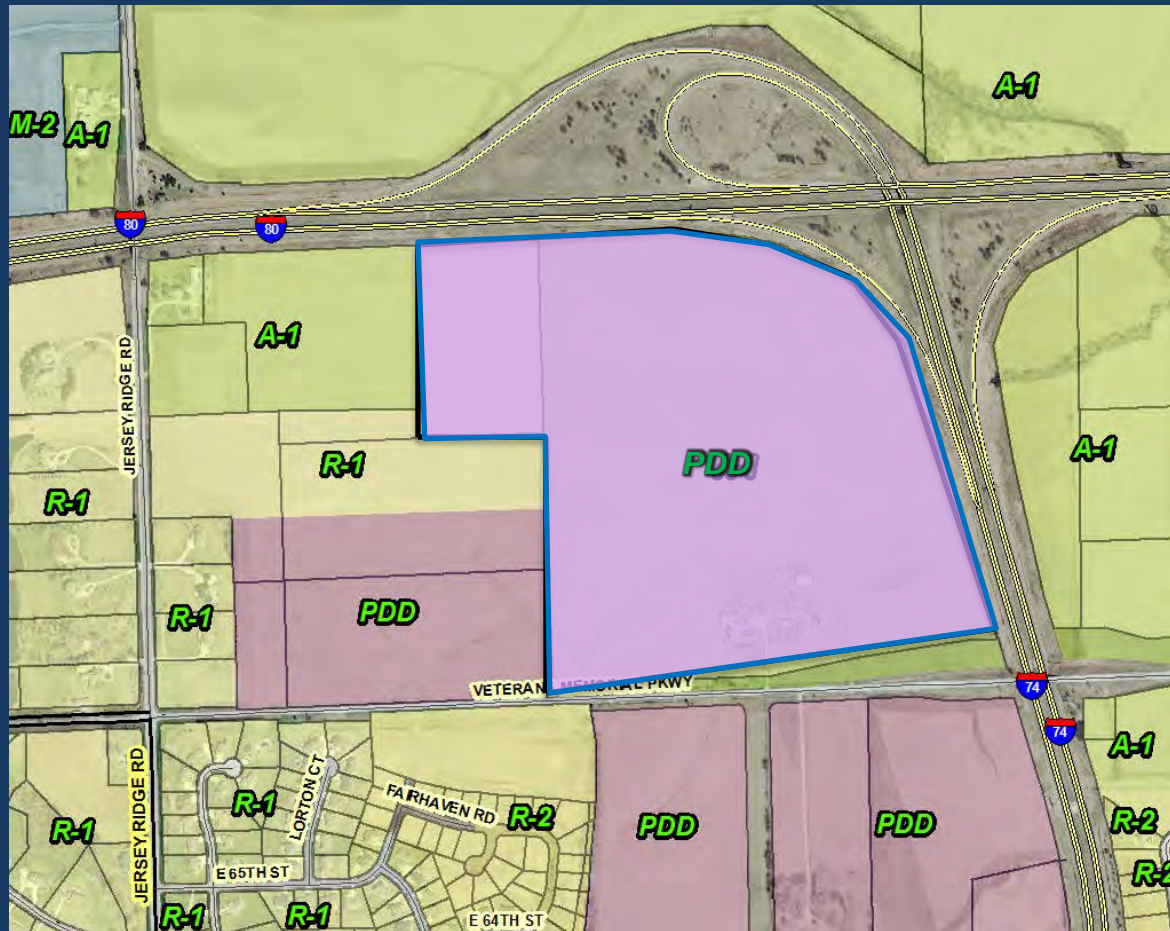
Existing Zoning



PUBLIC HEARING
September 2, 2014



Proposed Zoning

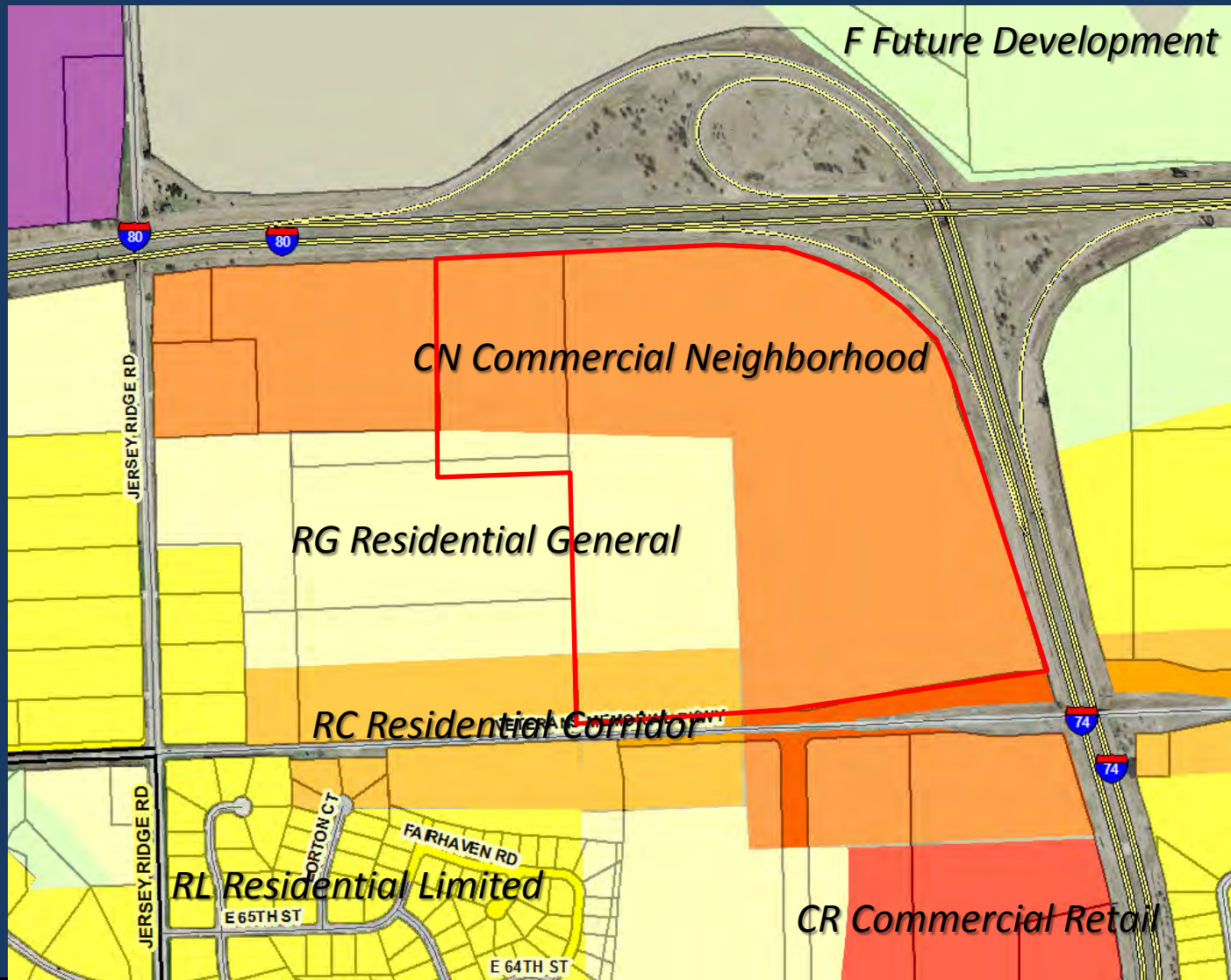


PUBLIC HEARING
September 2, 2014

DAVENPORT



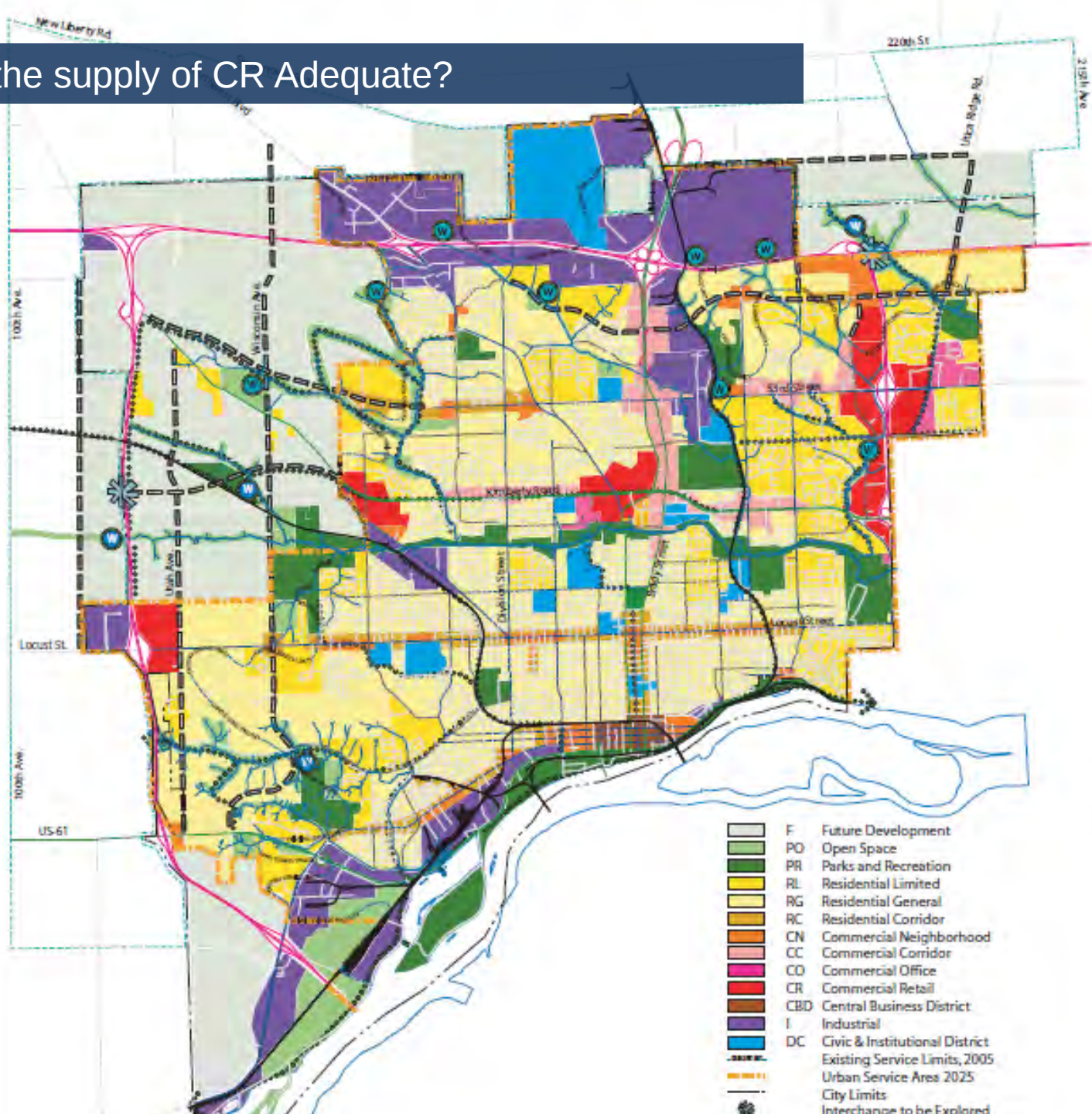
Comprehensive Plan Proposed 2025 Land Use



DAVENPORT



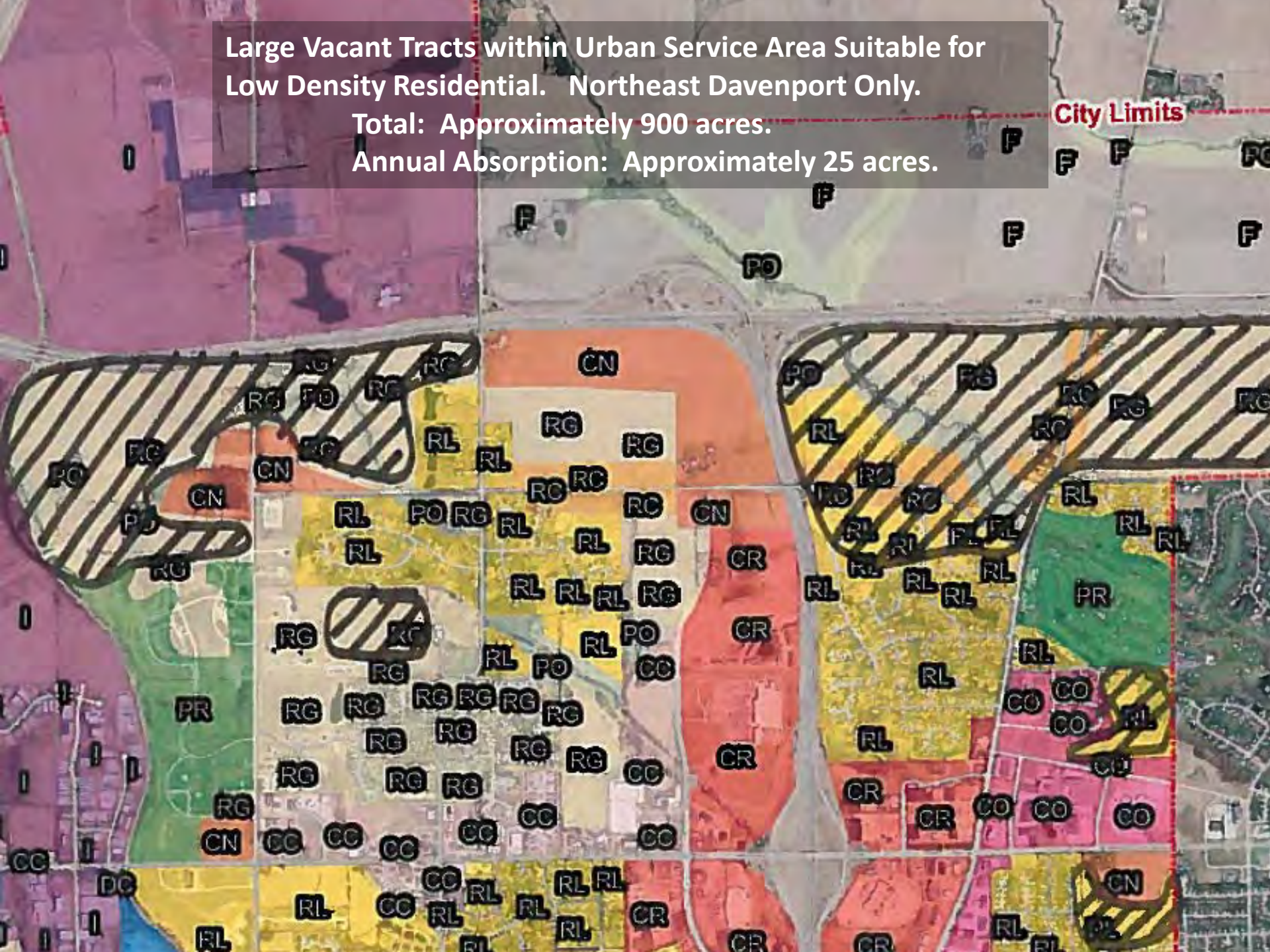
Is the supply of CR Adequate?



Large Vacant Tracts within Urban Service Area Suitable for Low Density Residential. Northeast Davenport Only.

Total: Approximately 900 acres.

Annual Absorption: Approximately 25 acres.



Comp Plan Committee Recommended Proposed Land Use Plan Amendment

PLAT of SUBDIVISION of FIRST ADDITION

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CR

RG

LEGEND

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PRELIMINARY - DO NOT RECORD

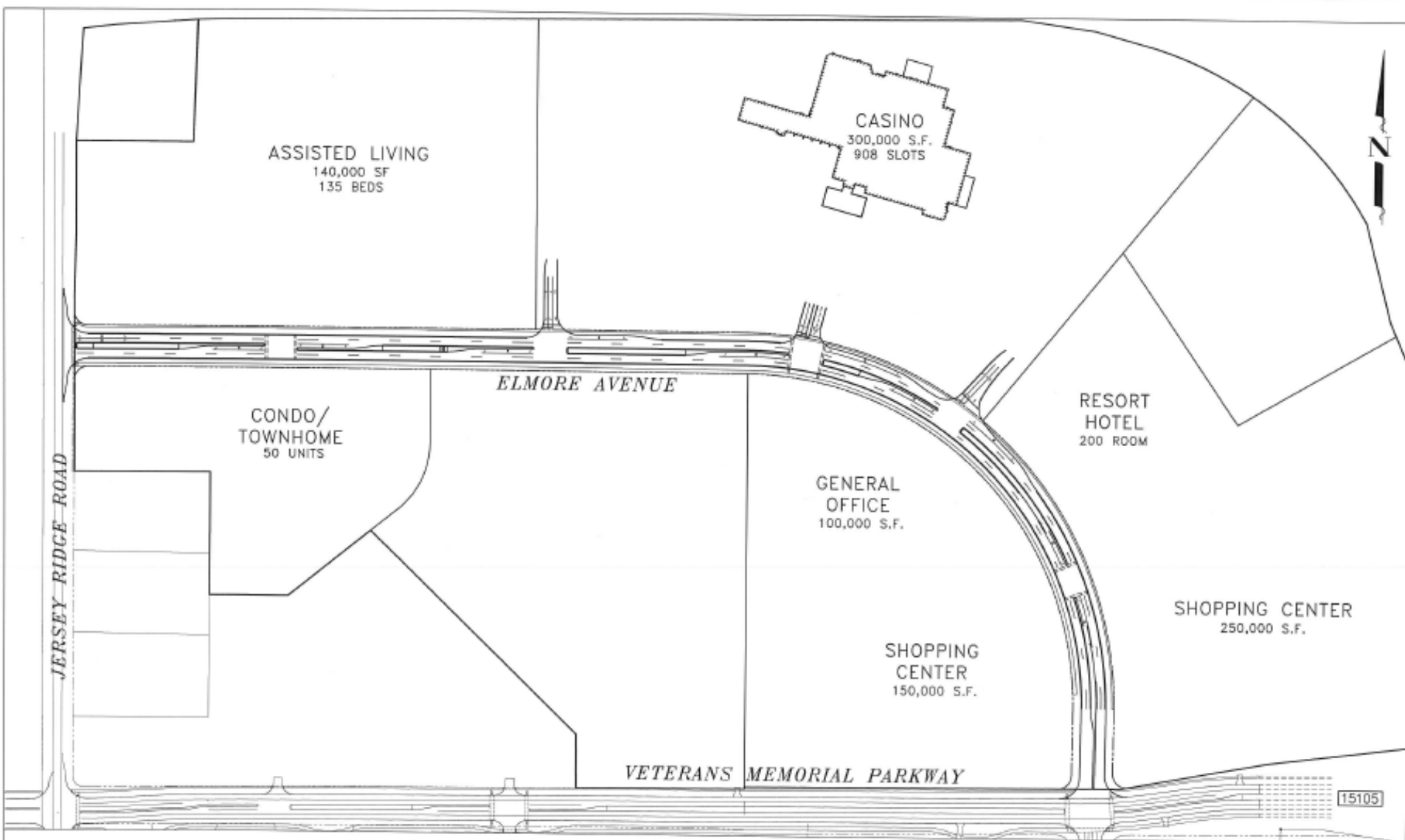
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8885 Ave. N, Fort Madison, IA 52627

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PDD – Concept Plan



BAXTER CONSTRUCTION CO., LLC
3225 Avenue N., Fort Madison, Iowa 52627

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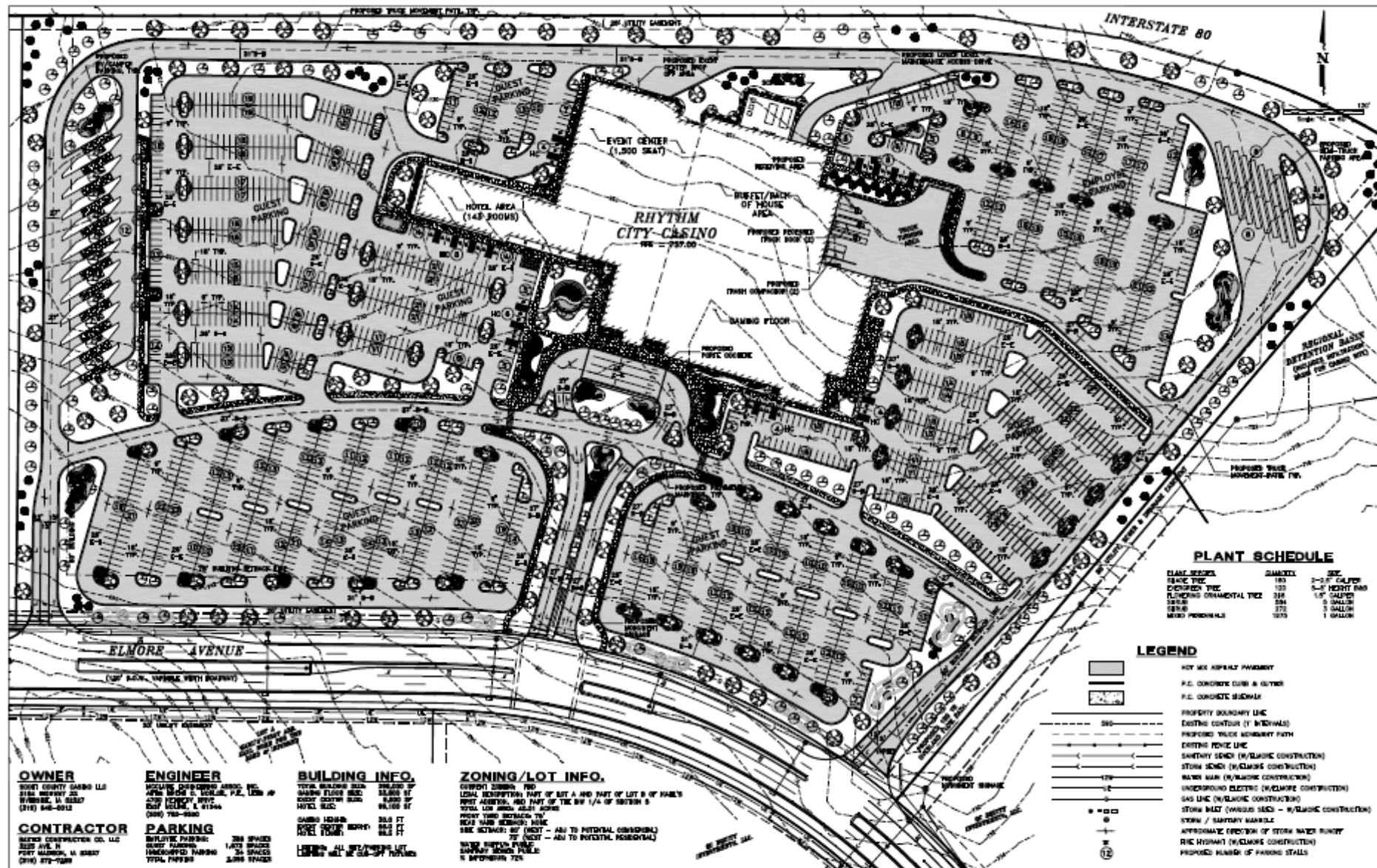
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ENTER 80 ANYTIME TRAFFIC STOP

IN REPORT, 18 W.

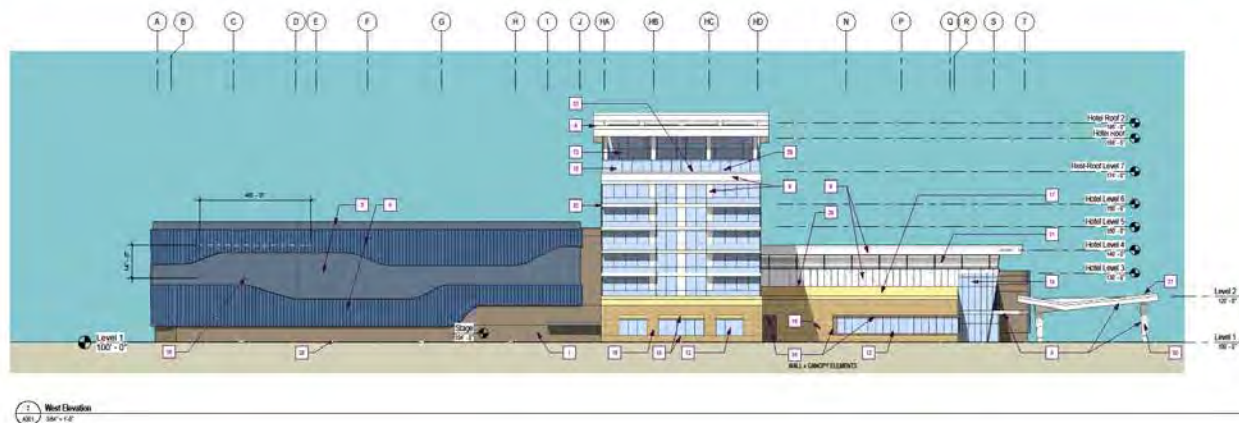
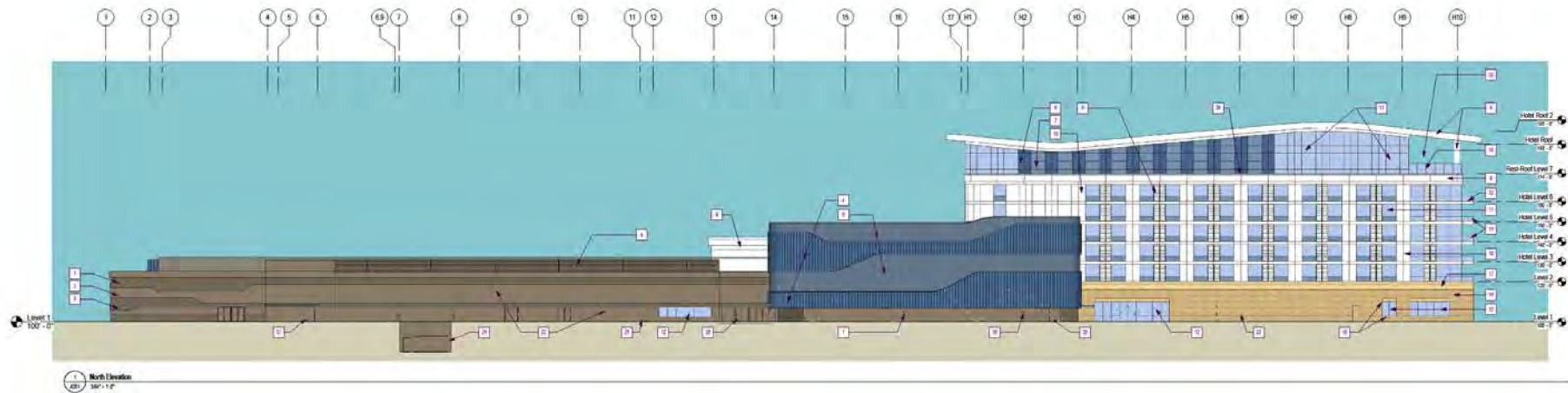
SHEET NO.
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OF 23

Rhythm City Renderings





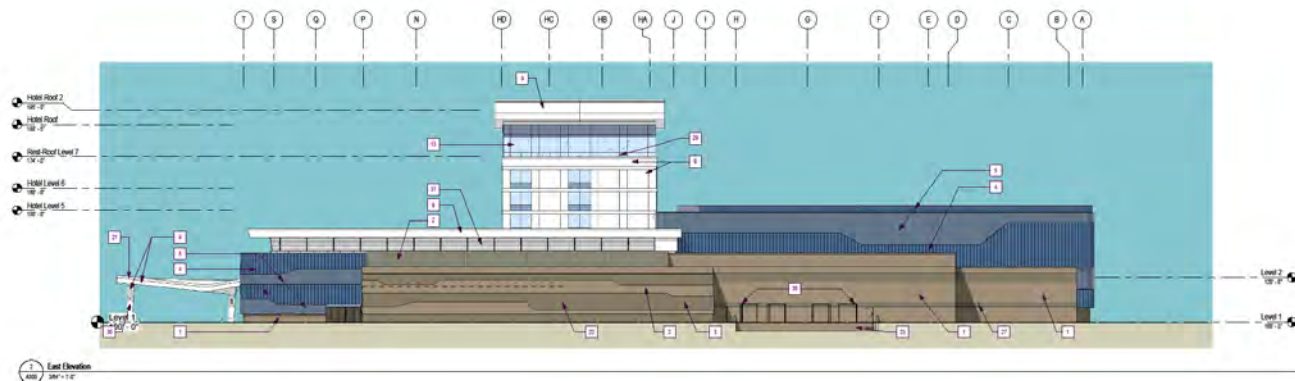
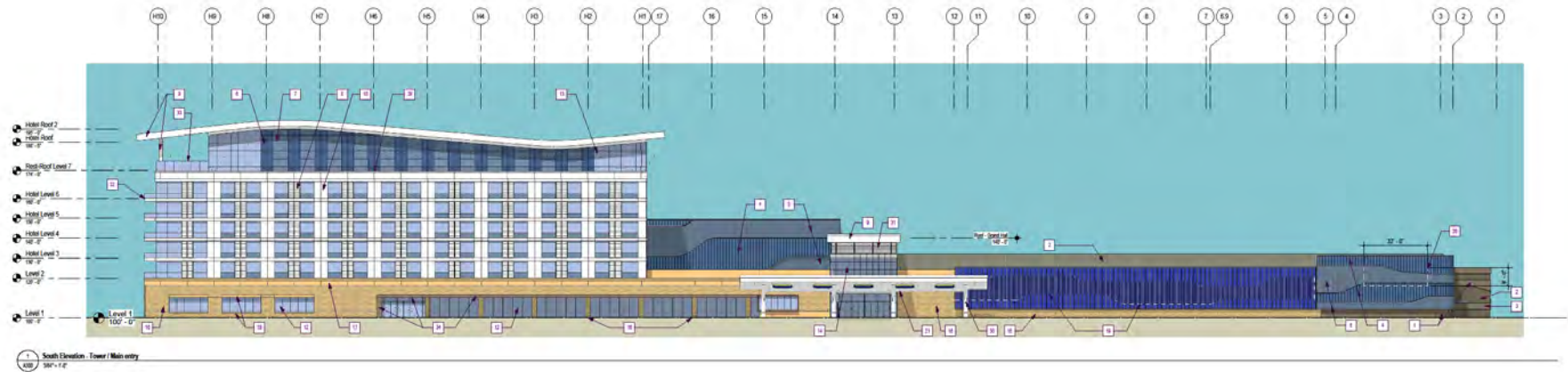
North and West Elevations



Elevation Keynotes

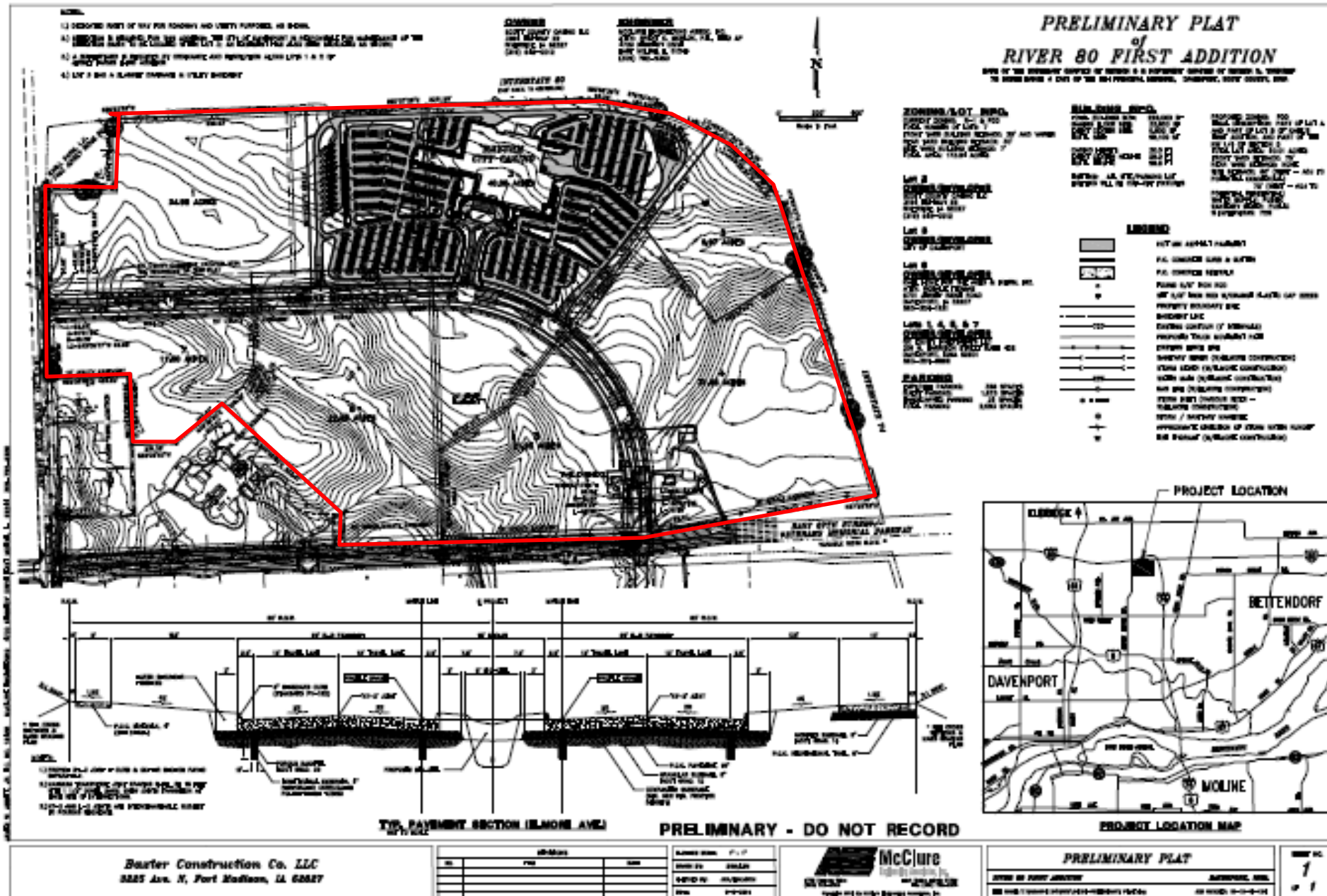
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2	UPR-2	Decorative Exterior Insulation Finish System - Color 2
3	UPR-3	Decorative Exterior Insulation Finish System - Color 3
4	MFL-1	Metal Profile Panel 1
5	MFL-2	Metal Profile Panel 2
6	MFL-3	Metal Profile Panel 3
7	MFL-4	Metal Panel - Flat with Horizontal or Vertical Joint
8	MFL-5	Metal Louver - Corrosion Color
9	ALUM-1	Aluminum Composite Panel 1
10	ALUM-2	Aluminum Composite Panel 2
11	ALUM-3	Aluminum Wall System or Stone Mullion
12	ALUM-4	Aluminum Window System or Stone Mullion
13	ALUM-5	Aluminum Window System or Stone Mullion
14	ALUM-6	Aluminum Window System or Stone Mullion
15	ALUM-7	Aluminum Window System or Stone Mullion
16	ALUM-8	Aluminum Window System or Stone Mullion
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34	ALUM-26	Aluminum Window System or Stone Mullion
35	ALUM-27	Aluminum Window System or Stone Mullion
36	ALUM-28	Aluminum Window System or Stone Mullion

South and East Elevations



Elevation Keynotes		
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3	EIFS-3	Operable Exterior Insulated Finish System - Color 3
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5	MFL-2	Metal Profile Panel 2
6	MFL-3	Metal Profile Panel 3
7	MFL-4	Metal Profile Panel 4
8	MFL-5	Metal Profile Panel 5
9	MFL-6	Metal Profile Panel 6
10	MFL-7	Metal Profile Panel 7
11	MFL-8	Metal Profile Panel 8
12	MFL-9	Metal Profile Panel 9
13	MFL-10	Metal Profile Panel 10
14	MFL-11	Metal Profile Panel 11
15	MFL-12	Metal Profile Panel 12
16	MFL-13	Metal Profile Panel 13
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18	MFL-15	Metal Profile Panel 15
19	MFL-16	Metal Profile Panel 16
20	MFL-17	Metal Profile Panel 17
21	MFL-18	Metal Profile Panel 18
22	MFL-19	Metal Profile Panel 19
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24	MFL-21	Metal Profile Panel 21
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96	MFL-93	Metal Profile Panel 93
97	MFL-94	Metal Profile Panel 94
98	MFL-95	Metal Profile Panel 95
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101	MFL-98	Metal Profile Panel 98
102	MFL-99	Metal Profile Panel 99
103	MFL-100	Metal Profile Panel 100

Proposed Preliminary Plat

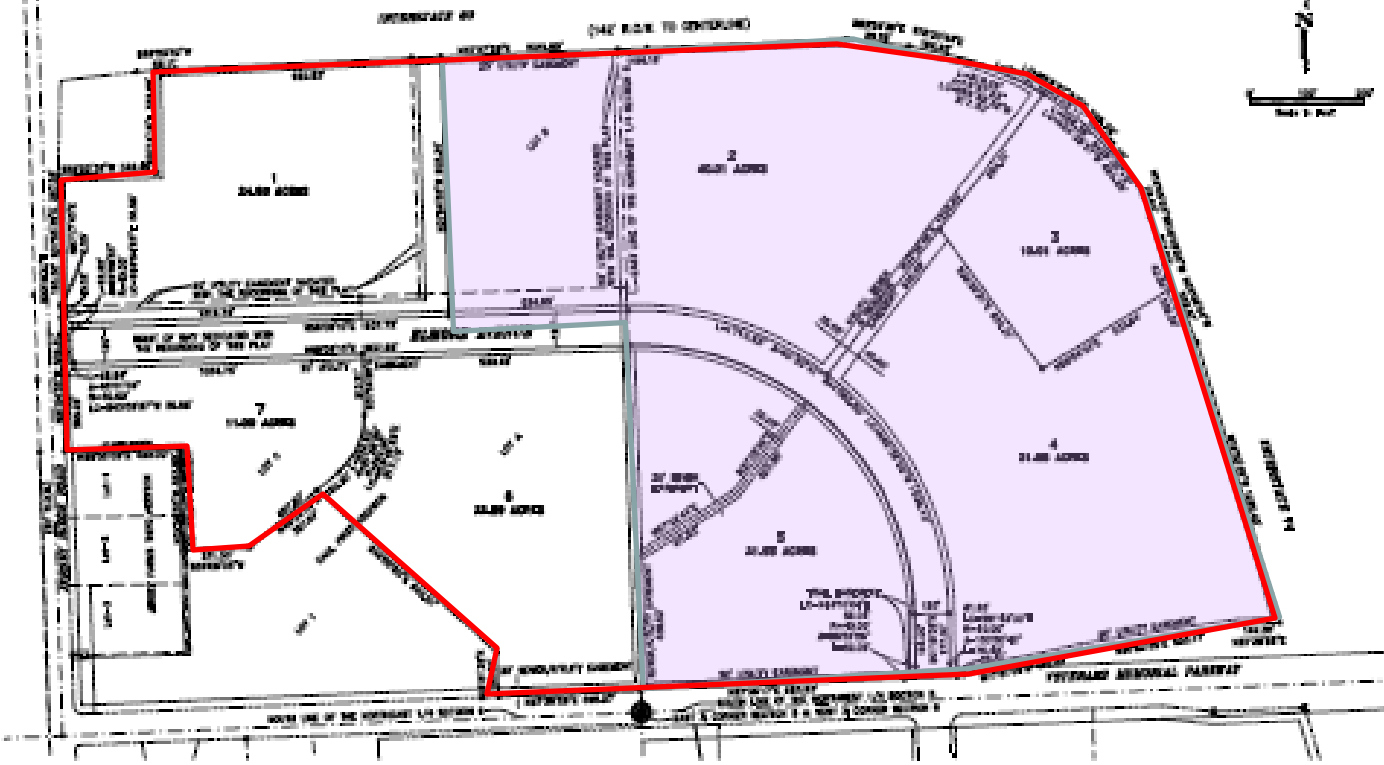
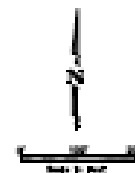


Proposed Final Plat

PLAT of SUBDIVISION of RIVER 80 FIRST ADDITION

BASED UPON THE SURVEY OF LOTS 1 & 2, 1/4 SECTION 36, TOWNSHIP 10 NORTH, RANGE 10 WEST, COUNTY 4 WEST, BY THE SURVEYOR, DATED 10/10/2010.

- 1) (SHALL BE) HALF OF THE LOT NUMBER AND 1/4TH PART OF THE LOT.
- 2) (SHALL BE) THE LOT NUMBER, THE CITY OF INDIANAPOLIS IS OBLIGED TO RECORD THE LOT NUMBER AND THE CITY OF INDIANAPOLIS IS OBLIGED TO RECORD THE LOT NUMBER.
- 3) A SURVEYOR IS OBLIGED TO RECORD THE LOT NUMBER AND THE CITY OF INDIANAPOLIS IS OBLIGED TO RECORD THE LOT NUMBER.
- 4) ANY SURVEYOR SHALL NOT BE OBLIGED TO RECORD THE LOT NUMBER.
- 5) LOT 1 & 2, 1/4 SECTION 36, TOWNSHIP 10 NORTH, RANGE 10 WEST, COUNTY 4 WEST.



Lot 1
ACRES: 1.00
TOTAL ACRES: 1.00
100'-0" WIDE
100'-0" DEEP

Lot 2
ACRES: 1.00
TOTAL ACRES: 1.00
100'-0" WIDE
100'-0" DEEP

Lot 3
ACRES: 1.00
TOTAL ACRES: 1.00
100'-0" WIDE
100'-0" DEEP

Lot 4
ACRES: 1.00
TOTAL ACRES: 1.00
100'-0" WIDE
100'-0" DEEP

Lot 5
ACRES: 1.00
TOTAL ACRES: 1.00
100'-0" WIDE
100'-0" DEEP

Lot 6
ACRES: 1.00
TOTAL ACRES: 1.00
100'-0" WIDE
100'-0" DEEP

Lot 7
ACRES: 1.00
TOTAL ACRES: 1.00
100'-0" WIDE
100'-0" DEEP

ZONING AND LOT INFORMATION
CURRENT ZONING: R-1 & R-2
ZONING MAP: 10/10/2010
ZONING MAP: 10/10/2010
ZONING MAP: 10/10/2010
ZONING MAP: 10/10/2010

McCLURE & COMPANY

McCLURE & COMPANY

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McCLURE & COMPANY

McCLURE & COMPANY

PRELIMINARY - DO NOT RECORD

Baxter Construction Co. LLC
5555 Ave. N, Fort Madison, IA 52627

SUBDIVISION		
LOT	AREA	ACRES
1	1.00	1.00
2	1.00	1.00
3	1.00	1.00
4	1.00	1.00
5	1.00	1.00
6	1.00	1.00
7	1.00	1.00



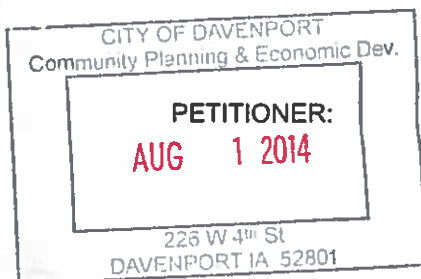
PLAT of SUBDIVISION	
DATE OF FIRST ADDITION	10/10/2010
DATE OF SECOND ADDITION	10/10/2010

REZONING REQUEST NO. _____
OFFICE OF PLANNING AND LAND USE
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT
CITY OF DAVENPORT

City Hall * Second floor
Phone: (563) 326-7765
Fax: (563) 328-6714

Legal Description: See attached legal description

ADDRESS OF PROPERTY: Vacant Land EXISTING ZONING: A1
REQUESTED ZONING: PDD
TOTAL AREA: 108.738 ac



Name: Jersey Roads, LC QC Equity Investments LLC Ridges L C
Address: 2000 E. 50th Ct. 201 Harrison St. Ste. 402 3211 E. 35th Ct.
Davenport, IA 52807 Davenport, IA 52801 Davenport, IA 52807
Phone: 323-7737 FAX: 323-7739

Mobile Phone: _____ Email: tpastrnak@pastrnak.com

Interest in land: X title holder _____ other **

** if petitioner is other than title holder, documentation will be required to show control of property – accepted offer to purchase, offer, option, etc.

TITLE HOLDER: Name: Jersey Roads, LC QC Equity Investments, LLC Ridges L C
Address: 2000 E. 50th Ct. 201 Harrison St. Ste. 402 3211 E. 35th Ct.
Davenport, IA 52807 Davenport, IA 52801 Davenport, IA 52807
Phone: 323-7737 FAX: 323-7739
Mobile Phone: _____ Email: tpastrnak@pastrnak.com

CONTACT PERSON: Name: Thomas J. Pastrnak
Address: 313 W. 3rd Street, Davenport, IA 52801
Phone: 323-7737 FAX: 323-7739
Mobile Phone: _____ Email: tpastrnak@pastrnak.com

EXPLANATION OF REZONING (for Public Hearing Notice) rezone the property to Planned Development District to permit the development of the casino and the reinvestment district previously proposed to the State of Iowa

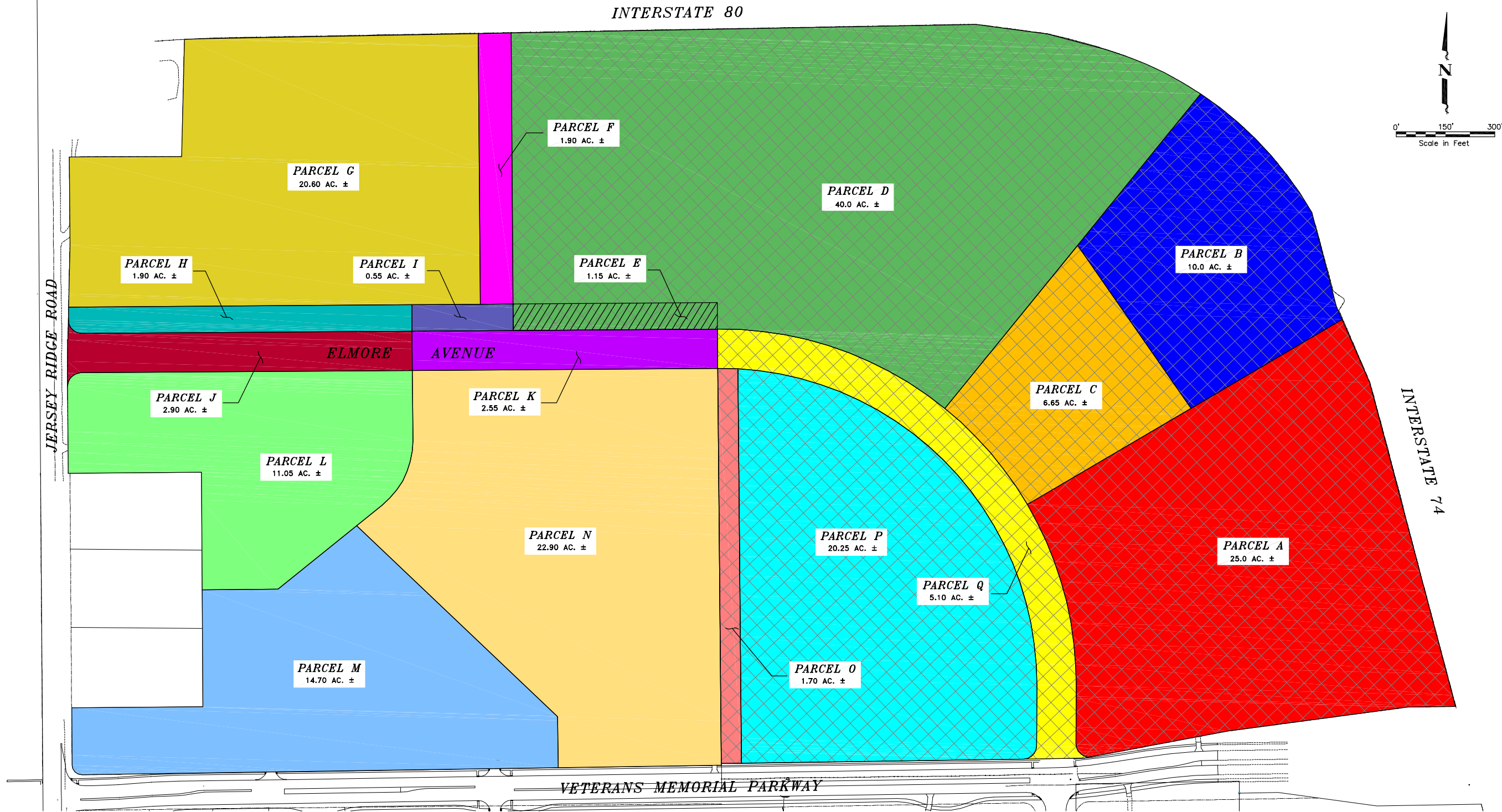
Does the property contain a drainage way or floodplain area: Yes X No

Signature of Petitioner: [Signature] Date: 7/31/2014

Rezoning Fee Schedule:

Land Area	Fee
Less than 1 acre (< 1 acre)	\$400
One acre to less than ten acres ($\geq$ acre < 10 acres)	\$750 plus \$25/acre *
Ten acres or more ($\geq$ 10 acres)	\$1,000 plus \$25/acre*

* plus \$5.00 per sign; 1 to 3 signs required depending upon the size of the subject property



RHYTHM CITY CASINO / I-80 REINVESTMENT DISTRICT PARCELS/REMAINDERS

PARCEL ID	ACREAGE	CURRENT OWNER	PROPOSED OWNER	DESCRIPTION	TO BE REZONED
PARCEL A	25.00 ACRES ±	QC EQUITY INVESTMENTS LLC	QC EQUITY INVESTMENTS LLC	REINVESTMENT DISTRICT PROPERTY	YES
PARCEL B	10.00 ACRES ±	QC EQUITY INVESTMENTS LLC	CITY OF DAVENPORT	STORMWATER DETENTION BASIN	YES
PARCEL C	6.65 ACRES ±	QC EQUITY INVESTMENTS LLC	QC EQUITY INVESTMENTS LLC	POTENTIAL RETAIL / HOTEL PROPERTY	YES
PARCEL D	40.00 ACRES ±	QC EQUITY INVEST. LLC / JERSEY ROADS LC	RHYTHM CITY CASINO	CASINO PROPERTY (INCLUDES PARCEL E)	YES
PARCEL E	1.15 ACRES ±	KAHL HOME FOR AGED & INFIRMED	RHYTHM CITY CASINO	LOT A KAHL'S 1ST ADDITION - REMAINDER	YES
PARCEL F	1.90 ACRES ±	JERSEY ROADS LC	QC EQUITY INVESTMENTS LLC	LOT B KAHL'S 1ST ADDITION - REMAINDER	NO
PARCEL G	20.60 ACRES ±	QC EQUITY INVESTMENTS LLC	QC EQUITY INVESTMENTS LLC	POTENTIAL COMMERCIAL / RESIDENTIAL PROPERTY	NO
PARCEL H	1.90 ACRES ±	JERSEY ROADS LC	QC EQUITY INVESTMENTS LLC	LOT C KAHL'S 1ST ADDITION - REMAINDER	NO
PARCEL I	0.55 ACRES ±	KAHL HOME FOR AGED & INFIRMED	RHYTHM CITY CASINO	LOT A KAHL'S 1ST ADDITION - REMAINDER	NO
PARCEL J	2.90 ACRES ±	JERSEY ROADS LC	CITY OF DAVENPORT	ELMORE AVE RIGHT OF WAY	NO
PARCEL K	2.55 ACRES ±	KAHL HOME FOR AGED & INFIRMED	CITY OF DAVENPORT	ELMORE AVE RIGHT OF WAY	NO
PARCEL L	11.05 ACRES ±	JERSEY ROADS LC	JERSEY ROADS LC	LOT C KAHL'S 1ST ADDITION - REMAINDER	NO
PARCEL M	14.70 ACRES ±	KAHL HOME FOR AGED & INFIRMED	KAHL HOME FOR AGED & INFIRMED	LOT 1 KAHL'S 1ST ADDITION	NO
PARCEL N	22.90 ACRES ±	KAHL HOME FOR AGED & INFIRMED	KAHL HOME FOR AGED & INFIRMED	LOT A KAHL'S 1ST ADDITION - REMAINDER	NO
PARCEL O	1.70 ACRES ±	QC EQUITY INVESTMENTS LLC	KAHL HOME FOR AGED & INFIRMED	POTENTIAL LAND SWAP FOR PARCELS E&I	YES
PARCEL P	20.25 ACRES ±	QC EQUITY INVESTMENTS LLC	QC EQUITY INVESTMENTS LLC	POTENTIAL COMMERCIAL PROPERTY	YES
PARCEL Q	5.10 ACRES ±	QC EQUITY INVESTMENTS LLC	CITY OF DAVENPORT	ELMORE AVE RIGHT OF WAY	YES



AREA TO BE REZONED

QC EQUITY INVESTMENTS, LLC

REVISIONS		
NO.	ITEM	DATE

PLOTTING SCALE:	1" = 150'
DRAWN BY:	BOM
CHECKED BY:	
DATE:	APRIL 2014



4700 Kennedy Drive
(309) 792-9350

East Moline, Illinois 61244
Fax (309) 792-8974

Copyright 2014 By McClure Engineering Associates, Inc.

PARCELS & REMAINDERS

RHYTHM CITY CASINO / I-80 REINVESTMENT DISTRICT

DAVENPORT, IA

FILE NAME: T:\IADA CASINO\DWG\ELMORE NORTH.DWG

SHEET NO.

1

OF 1

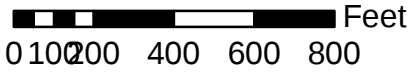
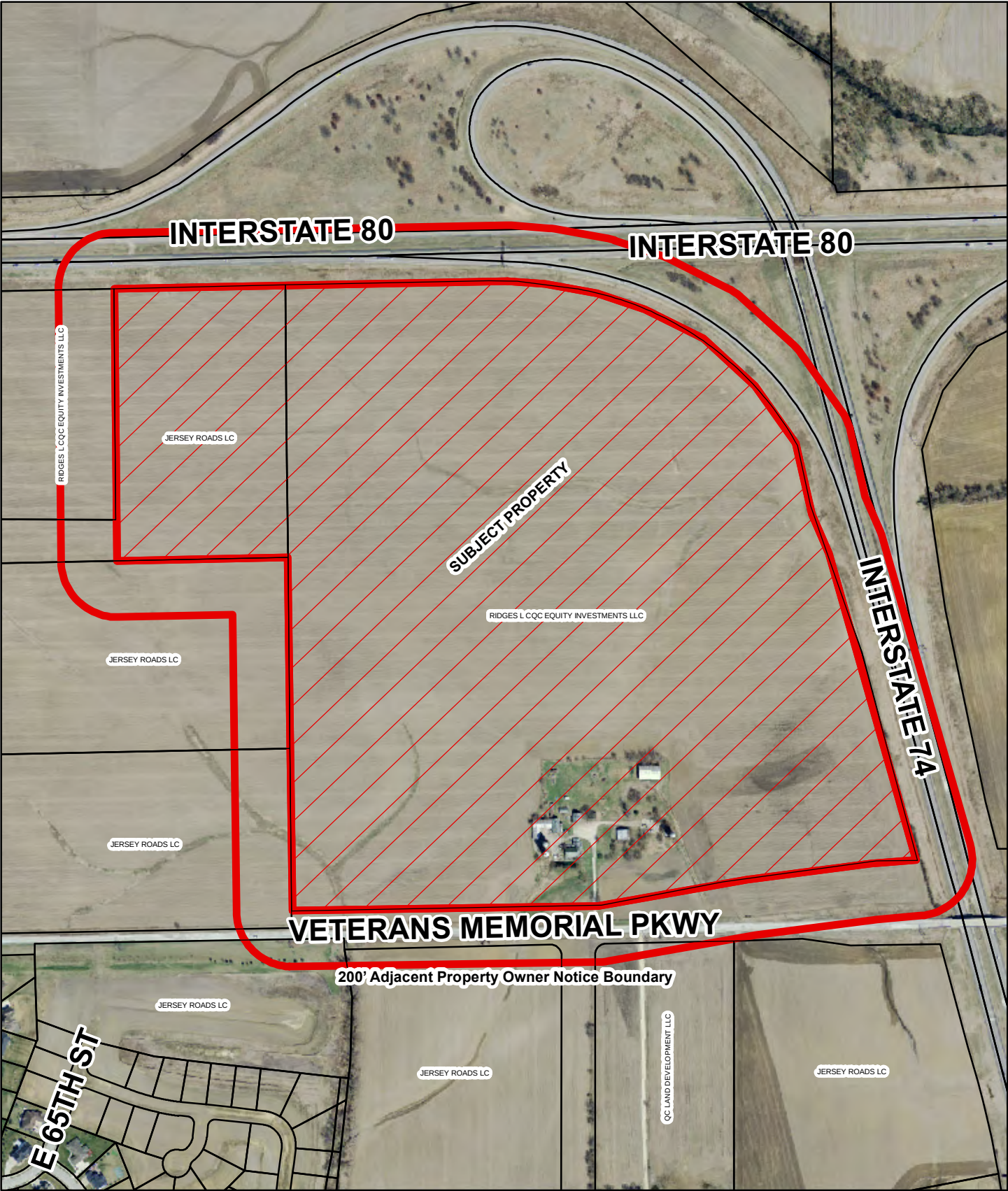
Rhythm City / I-80 Reinvestment District Rezoning Description:

Part of the northeast quarter of Section 6 and the northwest quarter of Section 5, all in Township 78 North, Range 4 East of the 5th Principal Meridian; more particularly described as follows:

Beginning at the intersection of the westerly Right of Way line of Interstate 74 and the northerly Right of Way line of Veterans Memorial Parkway, thence, along said northerly line, South 87 degrees 38 minutes 26 seconds West, a distance of 147.35 feet; thence, continuing along said northerly line, South 80 degrees 53 minutes 55 seconds West, a distance of 553.77 feet; thence, continuing along said northerly line, South 77 degrees 51 minutes 09 seconds West, a distance of 441.41 feet; thence, continuing along said northerly line, South 87 degrees 38 minutes 17 seconds West, to the East line of the Northeast quarter of Section 6, a distance of 1105.44 feet; thence, north along said east line, North 02 degrees 01 minutes 00 seconds East, a distance of 1323.03 feet; thence, South 88 degrees 06 minutes 10 seconds West, a distance of 621.99 feet; thence, North 01 degrees 54 minutes 55 seconds West, to the southerly Right of Way line of Interstate 80, a distance of 905.34 feet; thence, along said southerly line, North 87 degrees 27 minutes 29 seconds East, a distance of 1416.16 feet; thence, continuing along said southerly line, South 83 degrees 56 minutes 39 seconds East, a distance of 220.28 feet; thence, continuing along said southerly line, South 76 degrees 33 minutes 44 seconds East, a distance of 184.22 feet, to an arc and the transition to westerly Right of Way line of Interstate 74; thence, along said arc and Right of Way, a distance of 817.91 feet, said arc being concave southwesterly, having a radius of 1076.00 feet and a delta angle of 43 degrees 33 minutes 11 seconds; thence, along said westerly line, South 16 degrees 05 minutes 53 seconds East, a distance of 78.63 feet; thence, continuing along said westerly line, South 16 degrees 08 minutes 55 seconds East, a distance of 217.00 feet; thence, continuing along said westerly line, South 25 degrees 08 minutes 44 seconds West, a distance of 252.87 feet; thence, continuing along said westerly line, South 16 degrees 20 minutes 49 seconds East, a distance of 1020.46 feet, to the point of beginning.

The above described tract contains 108.738 acres, more or less. For the purpose of the above description the east line of the northeast quarter of Section 6 is assumed to have a bearing of North 02 degrees 01 minutes 00 seconds West.

Plan & Zoning Commission: Adjacent Property Owner Notice Area



PUBLIC HEARING NOTICE
DAVENPORT PLAN & ZONING COMMISSION
TUESDAY – September 2, 2014 5:00 P.M.
COUNCIL CHAMBERS - DAVENPORT CITY HALL
226 WEST 4TH STREET – DAVENPORT, IOWA

Petition of Jersey Roads, LC, QC Equity Investments, LLC and Ridges LC for a Zoning Map Amendment (rezoning) of 108.738 acres, more or less, of real property generally located southwest of the interchange of Interstates 74 and 80, from R-1 Low Density Residential and A-1 Agriculture to PDD, Planned Development District, for the purpose of facilitating commercial development, including casino complex. (Case No. REZ14-09).

The City Plan and Zoning Commission will conduct a public hearing concerning this matter at **5:00 p.m., Tuesday, September 2, 2014, in the Council Chambers of Davenport City Hall, 226 West 4th Street, Davenport, Iowa.**

This public hearing is the first step in the review/approval process. The City Plan and Zoning Commission will then consider the petition at its regular meeting on Tuesday, September 16, 2014. The Commission's report and recommendation will then be forwarded to the City Council. The City Council will then hold its own public hearing, as required by state law. You should also receive a future notice of the City Council's public hearing. For the rezoning ordinance to be approved, it must be read/considered at three (3) separate City Council meetings. For the specific dates and times of subsequent meetings, please call the phone number below.

It is your privilege to submit written comments on this petition or to attend the public hearing to express your views, or both. All protests must be made in writing to be valid. Any written comments to be reported at the Commission's public hearing should be received in the office of the Community Planning & Economic Development Department, at the address below, no later than 12:00 noon, on the day of the public hearing, although written protests will be accepted up until day of the City Council public hearing.

City of Davenport
CPED/Planning (City Plan & Zoning Commission)
226 W. 4th Street
Davenport, IA 52801-1398

Phone: (563) 326-7765 FAX: (563) 328-6714 E-mail: planning@ci.davenport.ia.us

(detach here)

The undersigned – **opposes / does not oppose (circle one)** the petition of Jersey Roads, LC, QC Equity Investments, LLC, and Ridges, LC (Case No. REZ14-09)

Comments: _____

Mail to: City of Davenport
c/o CPED (City Plan & Zoning Commission)
226 W. 4th Street
Davenport, Iowa 52801

NAME _____
ADDRESS _____
DATE _____

(please print legibly)

ADDRESS OF YOUR PROPERTY IN THE NOTICE AREA
IF OTHER THAN MAILING ADDRESS ON ENVELOPE

REZ14-09 - QC Investments A-1 to PDD (Casino) Adjacent Owner Notice List

Parcel	Property Address	Mailing Address - Deed Name	Mailing Address - Street	Mailing Address - CityStateZip
SUBJECT PROPERTY Y0501-30D	3130 VETERANS MEMORIAL PKWY	QC EQUITY INVESTMENTS LLC	201 HARRISON ST STE 402	DAVENPORT IA 52801
SUBJECT PROPERTY Y0605-25E		QC EQUITY INVESTMENTS LLC	201 HARRISON ST STE 402	DAVENPORT IA 52801
Y0623-19		JERSEY ROADS LC	2000 E 50TH CT	DAVENPORT IA 52807
Y0607-20A		JERSEY ROADS LC	2000 E 50TH CT	DAVENPORT IA 52807
Y0623-18		JERSEY ROADS LC	2000 E 50TH CT	DAVENPORT IA 52807
Y0535-05B		JERSEY ROADS LC	2000 E 50TH CT	DAVENPORT IA 52807
Y0533-01B		JERSEY ROADS LC	2000 E 50TH CT	DAVENPORT IA 52807
Y0533-02B		QC LAND DEVELOPMENT LLC	852 MIDDLE RD	BETTENDORF IA 52722
Y0639-19F		JERSEY ROADS LC	2000 E 50TH CT	DAVENPORT IA 52807
		ALDERMAN	JUSTIN - 6TH WARD	Notices Sent for REZ14-09: 2



City of Davenport

City Administrator Craig Malin, AICP

226 West Fourth Street – Davenport, Iowa 52801
Telephone: 563-326-6139 ctm@ci.davenport.ia.us

Memo

September 12, 2014

To: P&Z Chairman Inghram & Commissioners

Subject: REZ14-09

As the Commission considers the above rezoning petition, staff has begun to prepare some guidance. While a formal staff recommendation is pending closure of the Commission's public hearing, attached is information relevant to the case.

At the largest scale of consideration, the proposed REZ14-09 site is one of only three locations in Iowa where two full (two digit) Interstates intersect (see attached). From a highest and best land use perspective, the market has clearly determined large scale retail and entertainment / casino complexes are appropriately sited in close proximity to Interstate intersections in Iowa, as in other states.

With regard to the Comprehensive Plan, it is important to note the Comprehensive Plan is a guiding document while the Zoning Ordinance is a regulating document. The Comp Plan guides, while the Zoning Ordinance controls. In this case, the 2005 Comprehensive Plan was approved two years before land-based gaming was legal in Iowa. Had land-based gaming been legal in 2005, the land in question easily (and appropriately, given the highest and best use of property at one of only three Interstate intersections in the state) could have been designated Commercial Retail rather than Commercial Neighborhood. Supporting this perspective, the trend of development along Elmore Drive is clearly toward Commercial Retail, rather than Commercial Neighborhood.

Furthermore, in 2007, the Commission voted unanimously to recommend amending the Zoning Ordinance to create a Casino Overlay District. The City Council subsequently adopted the amendment, permitting casinos either downtown or within one mile of an Interstate. Thus, zoning is already in place for a casino in the location proposed in REZ14-09. In fact, it is doubly in place, as the location is both within one mile of I-80 and one mile of I-74.

While some have suggested the I-280 / I-80 location as a preferable site, that interchange is significantly farther from the market center of the Quad Cities and lacks adequate infrastructure. The suggestion to site a casino southeast of I-80 and Brady both moves the location closer to existing Davenport residences and farther from I-74, which serves as the economic spine of the Quad Cities.

Respecting the Commission's on-going review of the full scope of the REZ14-09 petition, staff looks forward to working with the Commission to develop an appropriate recommendation to the City Council. There are standards to be met in the Casino Overlay District, and there are matters related to appropriate buffering of residential property to commercial property as there are in any such PDD or commercial zoning petition.

As staff works with stakeholders and the Commission to craft a recommendation to the City Council, I hope Commissioners well consider the legal, planning and public policy interests in optimizing the highest and best use of Davenport's only intersection of primary Interstate highways.

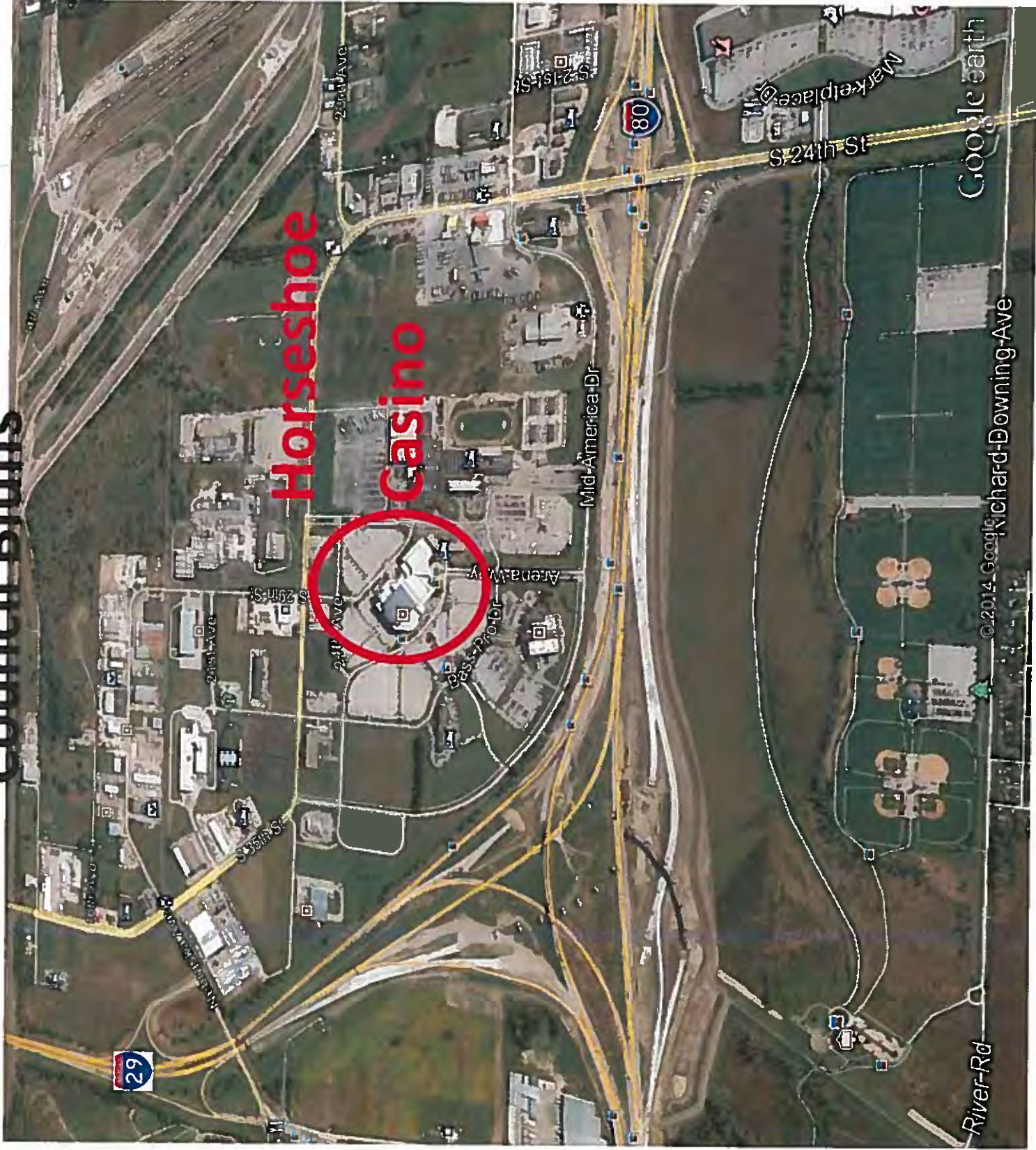
cc: Mayor & Council, CPED Director Berger

where Interstates come together

A map of Iowa showing major cities and highways. Three green circles highlight specific locations: one near Mason City, one near Ames, and one near Keosauqua. The map includes labels for cities like Clear Lake, Mason City, Waterloo, Cedar Rapids, Iowa City, and Keosauqua, as well as highways 35, 80, 88, 74, 29, and 380.

Council Bluffs

Horseshoe
Casino



Google Earth

© 2014 Google

River Rd

West Des Moines

Jordan Creek

Retail



Google earth

© 2014 Google

Altoona

Prairie Meadows Casino



Altoona

Ironwood Pond

Davenport

Proposed
Casino

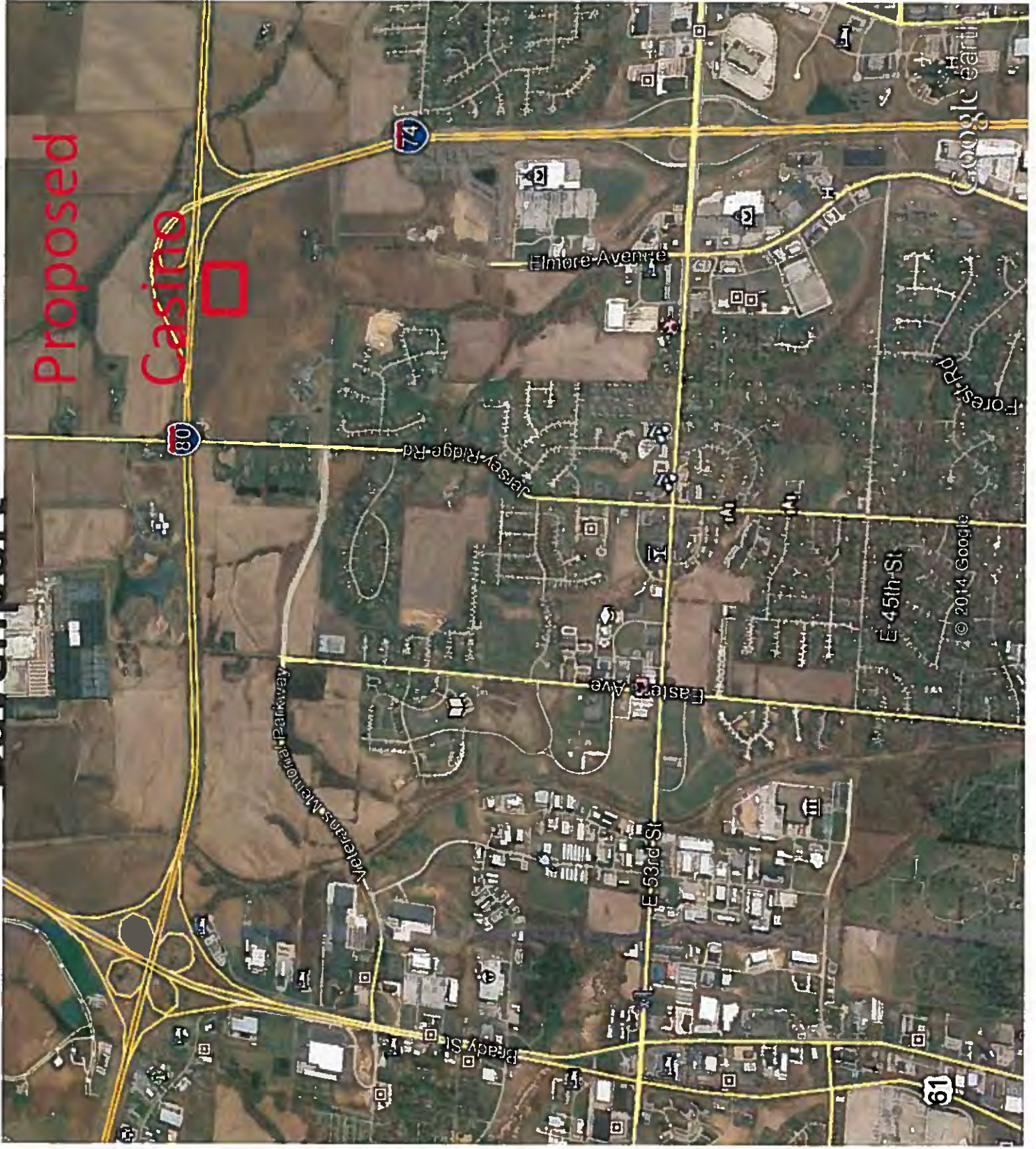
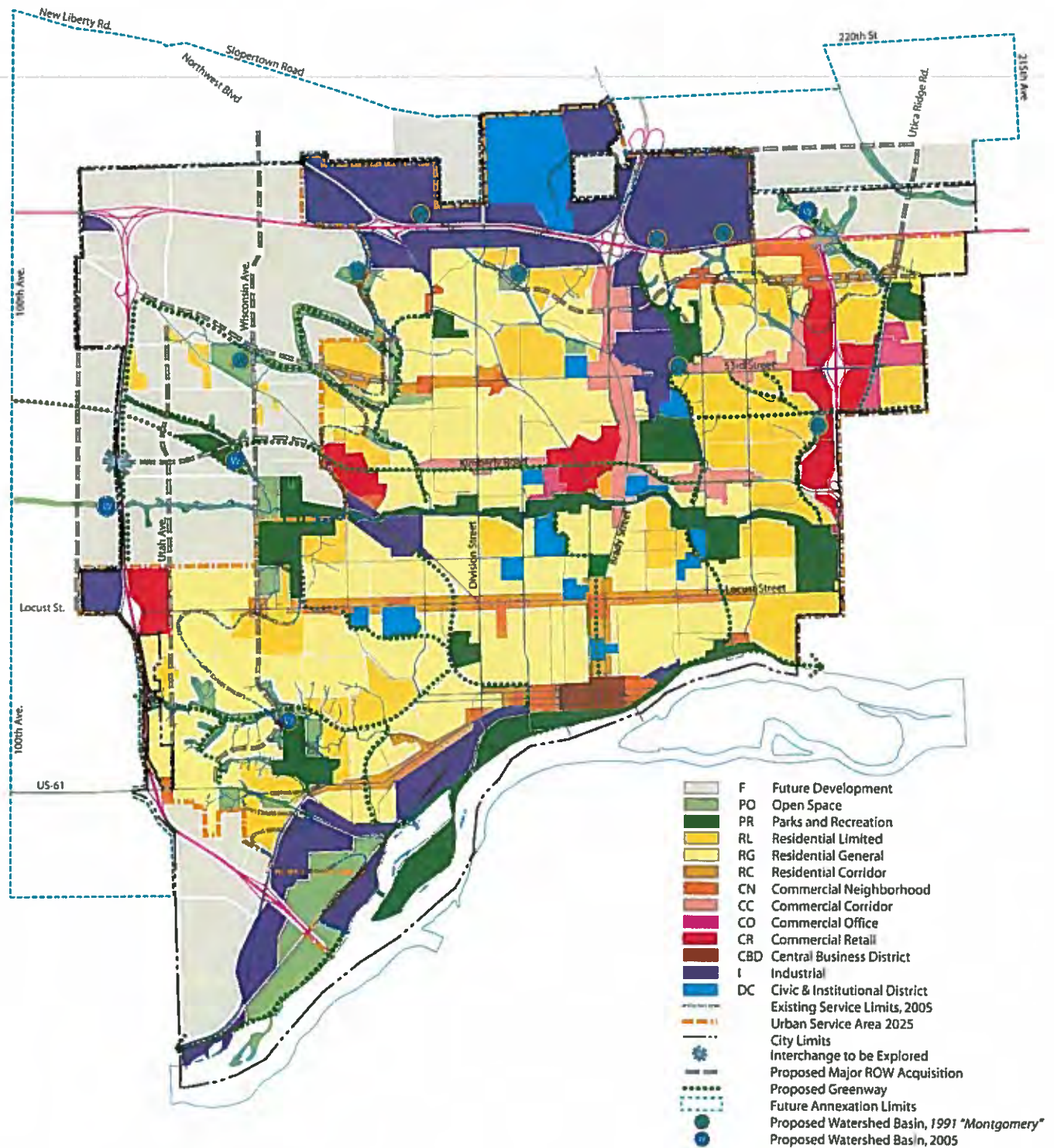


FIGURE LU-8
PROPOSED LAND USE MAP - 2025

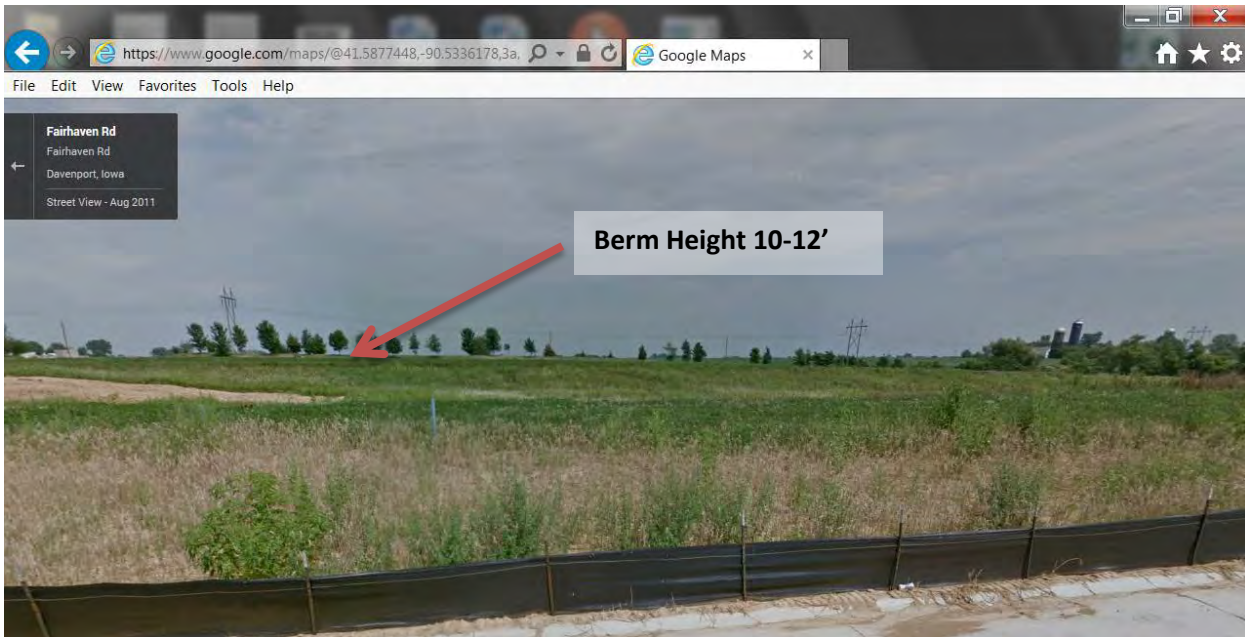


DAVENPORT POTENTIAL CASINO CORRIDOR



APPROXIMATE DISTANCES TO EXISTING RESIDENTIAL

REZ 14-09 Photo Gallery



View north-northeast towards casino site. Proposed entrance is approximately 2700 feet (0.51 miles) from this location. Elevation is approximately the same.



Kahl Home from southwest



Berm on south side of VMP looking south



View to the west showing berm



Homes on Fairhaven Road from proposed Jersey Farms 11th Addition approximately 10 below grade

RIVER 80 Traffic Study Summary

Summary and Recommendations

Based on the analysis above, it is our recommendation that the proposed development's west entrance intersection of Elmore Avenue and Jersey Ridge Road be constructed as a signalized intersection at full build out of the development. A separate traffic study will be prepared analyzing the development with casino only traffic to analyze this scenario to determine when the signalized intersection will need to be installed.

The basis of this recommendation is that the projected traffic volumes for 2015 will negatively impact the traffic flow on Jersey Ridge Road. Acceptable Level of Services are not obtained for the proposed entrance for the project.

The proposed private casino entrances onto Elmore Avenue should all be built as unsignalized intersections with both right and left turn lanes into and out of each intersection.

The south intersection of Elmore Avenue and Veteran's Memorial Parkway was not analyzed as part of this traffic study.

Additional auxiliary lanes other than the proposed right and left lanes shown in the plans are not warranted or recommended for each of the four intersections that were analyzed. Level of Service will not be substantially affected for through traffic on the existing roadway. Motorist behavior and expectations of conflicting traffic movements throughout the entire length of Jersey Ridge, Elmore Avenue, and Veteran's Memorial Parkway will create a level of awareness that minimizes rear end collisions caused by right and left turning vehicles.

In addition, Jersey Ridge Road adequately functions as a two-lane, two-way collector street and the addition of the new traffic to this development is not enough to warrant widening the street to a four-lane, two-way collector street even at the full build out condition of the development.

Rhythm City Casino Traffic Study Summary

Summary and Recommendations

Based on the analysis above, it is our recommendation that the proposed development's west entrance intersection of Elmore Avenue and Jersey Ridge Road be constructed as an unsignalized intersection initially when the casino is the only development in the residential and commercial park. A separate traffic study will be prepared analyzing the development with full build up traffic to analyze this scenario to determine when or if the signalized intersection will need to be installed.

The basis of this recommendation is that the projected traffic volumes for 2015 will not negatively impact the traffic flow on Jersey Ridge Road. Acceptable Level of Services are obtained for the proposed entrance for the project and signals are not warranted by the requirements detailed in the MUTCD.

The proposed private casino entrances onto Elmore Avenue should all be built as unsignalized intersections with both right and left turn lanes into and out of each intersection.

The south intersection of Elmore Avenue and Veteran's Memorial Parkway was not analyzed as part of this traffic study.

Additional auxiliary lanes other than the proposed right and left lanes shown in the plans are not warranted or recommended for each of the four intersections that were analyzed. Level of Service will not be substantially affected for through traffic on the existing roadway. Motorist behavior and expectations of conflicting traffic movements throughout the entire length of Jersey Ridge, Elmore Avenue, and Veteran's Memorial Parkway will create a level of awareness that minimizes rear end collisions caused by right and left turning vehicles.

In addition, Jersey Ridge Road adequately functions as a two-lane, two-way collector street and the addition of the new traffic to this development is not enough to warrant widening the street to a four-lane, two-way collector street even at the full build out condition of the development.

Jersey Farms Neighborhood Association

(In cooperation with Cromwell Cr. and surrounding neighborhoods)

Exhibits for Planning Board Presentation on

16 September 2014

The two St. Louis area casinos are also depicted in Figure 1. The St. Charles Casino is located along the Missouri River immediately north of I-70/Missouri River junction and about five miles to the west of I-270/I-70 junction in the City of St. Charles. The 1998 ADT along I-70 was 188,000 vehicles. The Casino Queen is located along the Mississippi River immediately east of the Gateway Arch and immediately north of the I-70/I-64/I-55 junction in the City of East St. Louis, Illinois. The ADT of these three interstates are 117,300 vehicles. The estimated 1999 population is 2,637,000 people within a 50-mile radius of the St. Louis area casinos.

GAMING REVENUES OF STUDY CASINOS

This section discusses the gaming revenues of the tri-state region where the five casinos presented in this paper are located. Between the years 1994-1999, St. Charles Casino had the second highest attendance of the eleven riverboat casinos within the state of Missouri. During the fiscal year 2000 the eleven riverboat casinos made over \$1.0 billion in adjusted gross revenues (AGRs). In Illinois, the nine riverboat casinos made over \$1.66 billion AGRs in 2000, with the Casino Queen ranked fifth out of the nine riverboats. In Iowa, Harvey's Casino and Ameristar Casino ranked one and two of out ten casinos in AGRs, respectively. The ten casinos in Iowa combined for over \$575 million in AGRs. Casinos within the State of Iowa that also have pari-mutuel wagering are accounted for separately in terms of their AGRs. Bluffs Run Casino was ranked two out of three casinos in AGRs. The three racetrack casinos, as they are called in Iowa, combined for over \$300 million in AGRs in 2000.

TRIP GENERATION CHARACTERISTICS OF STUDY CASINOS

Most of the available information concerning trip generation of casinos is related to large casinos or clusters of several casinos, such as those in Las Vegas. In order to determine the trip generation characteristics of small to medium sized casinos, HDR collected traffic information at three casinos in Council Bluffs, Iowa. Once the trip generation rates were computed, they were compared to trip generation rates of two St. Louis area casinos documented in a March 1998 issue of the ITE Journal.

Table 1 documents the five casinos' characteristics. It should be noted that the information for the Council Bluffs casinos is for the year 2000, while the information for the St. Louis casinos was collected in 1998.

Table 1 – General Casino Information

Amenities	Council Bluffs, Iowa			St. Louis Metro Area	
	Harvey's	Ameristar	Bluffs Run	St. Charles	Casino Queen
Slots	1169	1446	1479	1847	1020
Total Tables	53	51	0	90	51
Gaming sq. ft.	28,250	38,000	34,280	50,000	27,500
Hotel Rooms	251	356	0	<i>Not Applicable</i>	<i>Not Applicable</i>
Employees	1257	1329	1046	<i>Not Available</i>	1079
Pari-mutuel Wagering	No	No	Yes	No	No
Convention Center (seats)	900	170	No	<i>Not Available</i>	<i>Not Available</i>



9/8/2014

Harrah's Council Bluffs Hotel & Casino - Google Maps



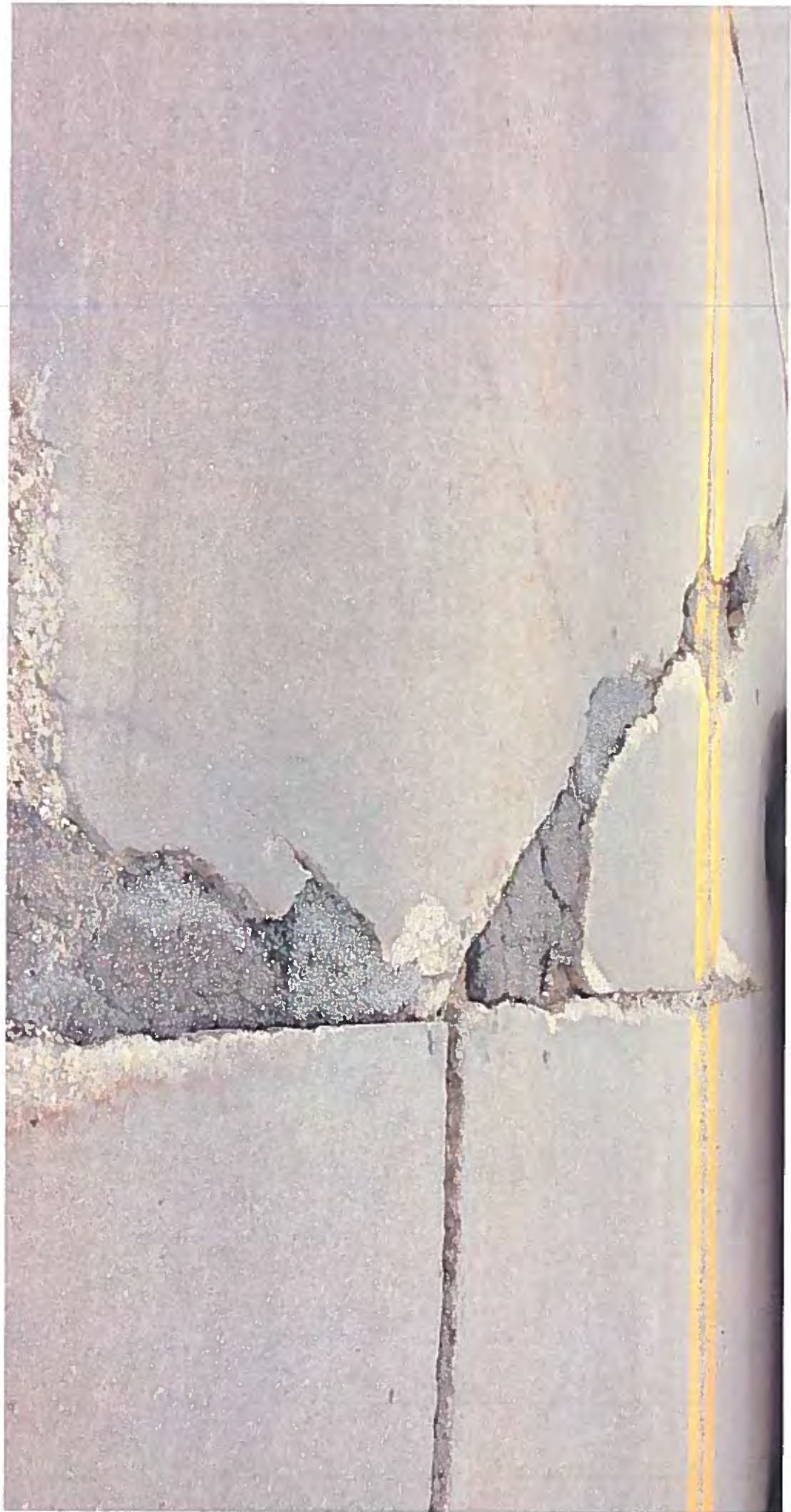












Legal Considerations and Related Questions

Is this site suitable for large scale commercial development and can its impacts be adequately addressed to preserve the interests of nearby property owners?

We believe, unequivocally, that the answer is no to both questions.

SUITABILITY: PLAN AND ZONING COMMISSION August 19, 2014 – Preview Report, Comprehensive Plan: ... Staff is of the opinion that a large casino complex is not consistent with the Future Land use Map for the area.....

IMPACTS:

Relevant statutes and ordinances

- **Davenport 2025: Comprehensive Plan for the City**
.....Proposed Land Use Map is an illustration of the entire comprehensive plan, recording the community's desired vision and setting a target for which to strive. The map, therefore, should not be changed unless the principles set forth in the greater document change first.

Davenport should seek to maintain and make the best use of both existing infrastructure and future investments. (There is no mention of "highest and best use" anywhere in the 508 pages of the Plan).
- **17.32.010 (PDD) Intent.** The development shall relate to abutting traffic facilities and be compatible with surrounding areas
- **17.32.052 Land use plan - Procedure.** The plan shall be accompanied by evidence concerning the feasibility of the project and its effects on surrounding property and other physical conditions
- **17.31.010 (COD) Intent.** The COD casino overlay district is intended to establish standards and conditions for the development and operation of gambling structures or casinos and appropriate primary and accessory uses which may accompany them while protecting the public health, safety and general welfare and minimizing the secondary negative effects of such uses by insuring they are compatible with existing and anticipated land uses.
- **17.31.020 Zoning district limitations...** In addition, in the PDD planned development district zone the overlay district is restricted to property located within one mile of an interstate highway (I-280, I-80 or I-74)... If an applicant applies for a zoning change to PDD planned development district or to C-4 central business district in anticipation of the development of a gambling structure, then the PDD or C-4 rezoning petition and the COD casino overlay district petition shall be combined
- **17.31.090 Design review required.** All projects within the COD casino overlay district require project design review and approval by the appropriate city board committee. A. Design review and approval for COD casino overlay district projects located in the PDD planned development district zone shall be processed by the design review committee of the city plan and zoning commission. Said review shall be based on the requirements of Chapter 17.41 of the City of Davenport Municipal Code entitled COD highway corridor overlay district and, in particular, the performance standards listed in Section 17.41.050 A. entitled "Open space and landscaping requirements" and Section 17.41.050 B. entitled "Architectural standards."
- **17.41.050 Performance standards.**
All uses and buildings permitted within the "HCOD" highway corridor overlay district shall comply in total with the following performance standards:
Open space and landscaping requirements. The total ground area devoted to open space for natural landscape and landscape beautification shall not be less than twenty percent on any development site within the "HCOD" highway corridor overlay district.....
D. Environmental performance standards. Complete abatement, elimination, or reduction of all generally offensive characteristics such as odors, gases, noise, vibration, pollution of air or water or soil, excessive lighting intensity, hazardous activity, etc. which may be detrimental to the general welfare of the community shall be accomplished.
- **State of Iowa - 414.3 Regulations and comprehensive plan.** The regulations shall be made in accordance with a comprehensive plan and designed to preserve availability of agricultural land; to consider the protection of soil from wind and water erosion; to encourage efficient urban development patterns; to prevent congestion in the street; to secure safety from fire, flood, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to promote the conservation of energy resources; to promote reasonable access to solar energy; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

What can be done to ensure that the needs of the community as a whole are protected while considering other relevant factors?

- Deny the PDD as proposed and make recommendations relating to a more suitable site.
- Require a complete plan such as the RiverVision 2014 Plan prior to any consideration on this proposal. The RiverVision Plan is being put up for Resolution this week at City Council, as CP14-05, and is set to become an element of the 2025 Comprehensive Plan for the City. Its primary purpose is for "Repurposing areas to be vacated by the Rhythm City Casino and former Dock restaurant" per the Community Planning and Economic Development notations. CP14-05 is only 1/2 of the solution.
- Limit the PDD to 40 acres plus the 10 acres of retention, and to condition the PDD to best meet the principles of the comprehensive plan in keeping with current ordinances and statutes noted above, as there is no plan for the other ~58 acres.

Davenport 2025: Comprehensive Plan for the City

... Proposed Land Use Map is an illustration of the entire comprehensive plan, recording the community's desired vision and setting a target for which to strive. The map herefore, should not be changed unless the principles set forth in the greater document change first. Page 417

.... The connections between transportation and other quality of life issues should be kept in mind as transportation projects are designed. For instance, transportation affects parking which affects drainage, and neighborhood aesthetics. Rather than trying to create all-new pavement for bicycles, or buses, or pedestrians, Davenport should seek to maintain and make the best use of both existing infrastructure and future investments. Page 321

Chapter 17.32 PDD PLANNED DEVELOPMENT DISTRICT*

17.32.010 Intent.

This district is intended to provide for development of modern commercial and mixed use planned developments designed as a unit and constructed in one or more phases. The development shall relate to abutting traffic facilities and be compatible with surrounding areas (Ord. 94180 § 1 (part)).

17.32.052 Land use plan - Procedure.

The owner or owners of a tract of land shall submit to the city plan and zoning commission a plan for the use of such tract for the purpose stated above. The land use plan is to be submitted with the rezoning petition. The plan shall be accompanied by evidence concerning the feasibility of the project and its effects on surrounding properties and other physical conditions. Said plan and supporting evidence shall include the following:

1. A drawing or set of drawings and other materials that include, but may not be limited to, the following:

1. The existing land use and zoning surrounding the proposed development and the distance from the subject property line to the nearest structures on all abutting properties within two hundred feet of the perimeter of the site.

2. The location of existing services, including: water, sanitary and storm sewer, electric, gas, streets, the capacity of those services and the service requirements of the development.

3. The site constraints including:

1. Slopes in excess of ten percent;

2. Drainage ways that carry water from abutting properties, drainage ways that drain areas on the site in excess of one acre and any area designated as a flood plain or floodway as defined in Chapter 15.44

3. Soils that are unsuitable or require special treatment to support urban development as determined by the Soil Conservation Service Soil Survey. If unsuitable conditions are indicated field testing may be required.

4. The total area in square feet of uses proposed for the site and the percentage of the site that is to be used for parking and building (impervious surface).

5. A two foot interval topographic map of the site on a scale base of one inch equals fifty feet or other scale as approved by the development official.

6. A traffic study which analyzes the aggregate trip generation to and from the site and the ability of the existing street system to accommodate the anticipated generation. Specific improvements should be proposed if the development causes the projected level of service to be less than level "C," as defined by the most recent version of the Highway Capacity Manual by the Transportation Research Board of The National Safety Research Council.

The city council delegates authority to the city staff's development official to waive, at his or her discretion, any of the required submissions stated in Section 17.32.052A, through Section 17.32.052A, 6 if the scale of the project, topography of the site or other reasons make them unnecessary. The city plan and zoning commission will be notified of any requirements that have been waived. (Ord. 94180

§ 1 (part)).

Chapter 17.31 COD CASINO OVERLAY DISTRICT

17.31.010 Intent.

The COD casino overlay district is intended to establish standards and conditions for the development and operation of gambling structures or casinos and appropriate primary and accessory uses which may accompany them while protecting the public health, safety and general welfare and minimizing the secondary negative effects of such uses by insuring they are compatible with existing and anticipated land uses. (Ord. 2007182 § 1 (part)).

17.31.020 Zoning district limitations.

The COD casino overlay district shall be used in conjunction with only two underlying zoning classifications: the C-4 central business district zone and the PDD planned development district zone. In addition, in the PDD planned development district zone the overlay district is restricted to property located within one mile of an interstate highway (I-280, I-80 or I-74). If the COD casino overlay district is to be used in conjunction with property previously zoned PDD planned development district classification, the existing land use plan and any existing final development plans shall be abandoned and a new land use plan and final development plan or plans shall be submitted to the city for approval. If an applicant applies for a zoning change to PDD planned development district or to C-4 central business district in anticipation of the development of a gambling structure, then the PDD or C-4 rezoning petition and the COD casino overlay district petition shall be combined. No gambling structure shall be permitted except within the COD casino overlay district. (Ord. 2007182

§ 1 (part)).

17.31.080 Procedures for processing.

1. The procedure for processing a COD casino overlay district rezoning in conjunction with a PDD planned development district rezoning or as an overlay of land currently zoned PDD planned development district shall be as listed in Chapter 17.32 entitled PDD planned development district.

17.31.090 Design review required.

All projects within the COD casino overlay district require project design review and approval by the appropriate city board or committee.

1. Design review and approval for COD casino overlay district projects located in the PDD planned development district zone shall be processed by the design review committee of the city plan and zoning commission. Said review shall be based on the requirements of Chapter 17.41 of the City of Davenport Municipal Code entitled "COD highway corridor overlay district and, in particular, the performance standards listed in Section 17.41.050 A. entitled "Open space and landscaping requirements" and Section 17.41.050 B. entitled "Architectural standards." All signage shall be in compliance with Chapter 17.45 of the City of Davenport Municipal Code entitled Sign Regulations and more specifically subsection 17.45.090 K. entitled Highway Corridor Overlay District. In addition, the design guidelines listed in the publication entitled "The Highway Corridor Overlay District: Performance Standards and Design Guidelines" shall apply. Submission requirements and processing procedures for the design review of the project shall be the same as those listed in Subsection 17.41.045 C. entitled "Procedure" and Subsection 17.41.045 D. entitled "Additional Provisions" and 17.41.045 E. entitled "Appeal."

2. Design review and approval for COD casino overlay district projects located in the C-4 central business district zone shall be processed by the downtown design review board. Said review shall be based on the requirements listed in Chapter 17.29 of the Davenport Municipal Code entitled "Downtown design overlay district." Signage

shall be in compliance with Chapter 17.45 of the City of Davenport Municipal Code entitled "Sign Regulations" and more specifically Subsection 17.45.090M entitled "DDOD" downtown design overlay district." In addition, all projects shall comply with the requirements listed in the publication entitled "Downtown Design Standards." Submission requirements and processing procedures shall be the same as those listed in Section 17.29.090 entitled "Certificate of design approval" and its subsections. In the event that a COD casino overlay district project in the C-4 central business district zone necessitates the demolition of existing buildings the procedures listed in Sections 17.29.100 entitled "The Board's Demolition Review Process" and 17.29.110 entitled "Appeal of Board's Decision on Demolition" shall also apply. (Ord. 2007-11 (part)).

Chapter 17.41 HCOD HIGHWAY CORRIDOR OVERLAY DISTRICT

17.41.050 Performance standards.

All uses and buildings permitted within the "HCOD" highway corridor overlay district shall comply in total with the following performance standards:

A. Open space and landscaping requirements. The total ground area devoted to open space for natural landscape and landscape beautification shall not be less than twenty percent on any development site within the "HCOD" highway corridor overlay district. Such open spaces will be free of all drives, parking areas, structures, buildings, except for those walkways, monuments, and ornamental features considered to be necessary and essential to the central landscape theme. In the case of underlying zones which require more restrictive standards, the more restrictive standard shall apply.

D. Environmental performance standards. Complete abatement, elimination, or reduction of all generally offensive characteristics such as odors, gases, noise, vibration, pollution of air or water or soil, excessive lighting intensity, hazardous activity, etc. which may be detrimental to the general welfare of the community shall be accomplished. The standards for compliance with this paragraph shall be as follows:

1. Air pollution. The use shall not emit any smoke, dust, odorous gases, or other matter in such quantities as to be readily detectable at any point beyond the perimeter of the site area.

2. Noise. Davenport Municipal Code, Chapter 8.16, "Noise Abatement," shall be used to regulate noise within the "HCOD" highway corridor overlay district.

3. Vibration. The use shall not include vibration which is discernible without instruments on any adjoining lot or property.

4. Site lighting and glare. All lights, other than street lights, shall be so situated and installed as to reflect away from adjacent streets and residential areas. Light and pole designs shall be compatible with the overall design of the building(s) and site. In large parking lots, poles are to be located within the landscape islands. The scale of parking area shall be considered in the selection of pole height and spacing. Pole height shall decrease, where possible, near property lines and in low intensity use areas to further reduce glare. Uplighting trees and fountains, accent lighting on shrubs and entrances, and silhouette lighting may be used to create special effects.

5. Traffic hazard. The use shall not involve any activity substantially increasing the movement of traffic on public streets to a point that capacity and safety limitations are exceeded unless procedures are instituted to limit traffic hazards and congestion.

6. Storm water detention. Davenport Municipal Code, Chapter 13.34, "Storm Water Management" shall be used to regulate storm water run-off and provide detention where required.

7. Erosion control. Davenport Municipal Code 13.34.310–360, "Erosion Control" shall be used to regulate erosion on development sites. All development within a disturbed site in excess of five acres shall submit a copy of State of Iowa Department of Natural Resources Permit Number 2 with accompanying plans. Similarly, sites less than five acres shall submit a copy of the permit and plans if they are part of a larger development, the whole of which exceeds five acres. On sites less than five acres, an erosion control plan shall be required if, in the opinion of the city engineer, it is necessary to protect off-site properties. An approved grading plan shall be required prior to the commencement of any grading.

8. Overtax public utilities and facilities. The use shall not involve any activity substantially increasing the burden on any public facilities or utilities, unless provisions are made for necessary adjustments.

9. All utilities provided as new installation shall be underground and comply in full with the regulations set forth in Section 16.24.110 of the city of Davenport's Municipal Code entitled "Subdivision."

2014 Iowa Code

114.3 Regulations and comprehensive plan — considerations and objectives — notice, adoption, distribution.

1. The regulations shall be made in accordance with a comprehensive plan and designed to preserve the availability of agricultural land; to consider the protection of soil from wind and water erosion; to encourage efficient urban development patterns; to lessen congestion in the street; to secure safety from fire, flood, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to promote the conservation of energy resources; to promote reasonable access to solar energy; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. However, provisions of this section relating to the objectives of energy conservation and access to solar energy do not void any zoning regulation existing on July 1, 1981, or require zoning in a city that did not have zoning prior to July 1, 1981.

2. The regulations shall be made with reasonable consideration, among other things, as to the character of the area of the district and the peculiar suitability of such area for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout such city.

From: [Berger, Bruce](#)
To: [Flynn, Matt](#)
Subject: FW: Casino
Date: Tuesday, September 02, 2014 4:08:26 PM

Matt: Please make sure that these comments (below) become part of the public hearing "record" today. Thanks.

Bruce

From: gordon_forward **On Behalf Of** Gordon, Jason
Sent: Tuesday, September 02, 2014 4:05 PM
To: Heuer, Ryan M.
Cc: Berger, Bruce
Subject: Re: Casino

Mr. Heuer -

Thank you for sharing your comments with me.

Bruce, can you see that his comments get to the appropriate CPED staff and that the P&Z member see it as well?

Thanks, ;
Jason

On Tue, Sep 2, 2014 at 1:46 PM, Heuer, Ryan M. <Ryan.Heuer@unitypoint.org> wrote:
Hello,

My name is Ryan Heuer. I live in Lakehurst, near the possible casino site. My wife, Carla Heuer and I are strongly against this project. This will disrupt our peaceful neighborhood, increase traffic, decrease safety, and adversely affect property values. I feel our tax dollars could be better spent in the community than building a new multi-million dollar road for the casino. We are unable to attend the council meeting tonight but wanted to make our feelings known. We hope the council will find an alternative site for a project such as this.

Thank you,
Ryan Heuer

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--

Jason Gordon

Alderman At Large, Davenport, IA

563/529-4468 (cell)

563/888-2070 (City Council Office)

jgordon@ci.davenport.ia.us

www.cityofdavenportiowa.com

PUBLIC HEARING NOTICE

The Davenport City Council – Committee of the Whole will conduct a Public Hearing on Case No REZ14-09, Petition of Jersey Roads, LC, QC Equity Investments, LLC and Ridges LC for the rezoning of 108.7 acres, more or less, of property currently zoned A-1, Agricultural District and R-1, Low Density Dwelling District to PDD, Planned Development District, for the purpose of constructing a land-based casino complex and companion commercial development for the following described property:

Rhythm City/I-80 Reinvestment District Rezoning Description

Part of the northeast quarter of Section 6 and the Northwest quarter of Section 5, all in Township 78 North, Range 4 East of the 5th Principal Meridian; more particularly described as follows:

Beginning at the intersection of the westerly Right of Way line of Interstate 74 and the northerly Right of Way line of Veterans Memorial Parkway, thence, along said northerly line, South 87 degrees 38 minutes 26 seconds West, a distance of 147.35 feet; thence, continuing along said northerly line, South 80 degrees 53 minutes 55 seconds West, a distance of 553.77 feet; thence, continuing along said northerly line, South 77 degrees 51 minutes 09 seconds West a distance of 441.41 feet; thence, continuing along said northerly line, South 87 degrees 38 minutes 17 seconds West, to the East line of the Northeast quarter of Section 6, a distance of 1105.44; thence, north along said east line, North 02 degrees 01 minutes 00 seconds West, a distance of 1323.03 feet; thence, South 88 degrees 06 minutes 10 seconds West, a distance of 621.99 feet; thence North 01 degrees 54 minutes 55 seconds West, to the southerly Right of Way line of Interstate 80, a distance of 905.34 feet; thence, along said southerly line North 87 degrees 27 minutes 29 seconds East, a distance of 1416.16 feet; thence, continuing along said southerly line, South 83 degrees 56 minutes 39 seconds East, a distance of 220.28 feet; thence, continuing along said southerly line, South 76 degrees 33 minutes 44 seconds East, a distance of 184.22 feet, to an arc and the transition to westerly Right of Way line of Interstate 74; thence, along said arc and Right of Way, a distance of 815.17 feet, said arc being concave southwesterly, having a radius of 1076.00 feet and a delta angle of 43 degrees 24 minutes 25 seconds, a chord bearing of South 52 degrees 52 minutes 09 seconds East, and a chord length of 795.82 feet; thence, along said westerly line, South 19 degrees 20 minutes 53 seconds East, a distance of 78.60 feet; thence, continuing along said westerly line, South 16 degrees 08 minutes 55 seconds East, a distance of 217.00 feet; thence, continuing along said westerly line, South 25 degrees 08 minutes 44 seconds East, a distance of 252.87; thence, continuing along said westerly, South 16 degrees 20 minutes 49 seconds East, a distance of 1020.46 feet, to the point of beginning.

The above described tract contains 108.692 acres, more or less. For the purposes of the above description the east line of the northeast quarter of Section 6 is assumed to have a bearing of North 02 degrees 01 minutes 00 second West.

This property is located generally south of I-80 and west of I-74, north of Veteran's Memorial Parkway and east of Jersey Ridge Road.

The Public Hearing will be held on Wednesday, October 1, 2014, 5:30 p.m. in the Council Chambers, Davenport City Hall, 226 West 4th Street. Interested persons are invited to attend the Public Hearing and provide comments for or against the proposal.

Written comments or questions in advance can be directed to Matt Flynn, Senior Planning Manager, City of Davenport, phone 563-326-7743 or email mflynn@ci.davenport.ia.us

Questions forwarded by Aldermen Justin and Boom 9-22-14.

Will Elmore be extended to Jersey Ridge Road at the time of the casino development **Yes** or will that be after the adjacent land to the north and south of the proposed road is developed? Suggest a condition that will implement Jersey Ridge traffic control at this intersection **addressed in Traffic Studies, practical and legal issues of installing traffic control devices before they are warranted** and address road surface condition prior to extension of Elmore to Jersey Ridge. This would address a major traffic concern for the neighborhoods. **PW**

Rezone Jersey Farms 11th to R-1 to buffer the neighborhood **inconsistent with future land use map and general planning principles** or purchase the property for green space and/or Jersey Farms Park. Property cost is approximately \$280K. The preference is for a Jersey Farms Park. Would this negate the need for the extension of 65th Street to Veterans? **No** This has been a neighborhood concern that this would be a high volume short cut through the neighborhood for traffic trying to avoid the proposed stop light at Veterans and Jersey Ridge. **Multiple points of access to neighborhoods are essential for service delivery, including emergency response.**

Parcel P – buffer and limit building height and density similar to what was proposed at the Sophie Foster property. Consider a residential component on the south end. Foster rezoning requires a 1 story commercial building adjacent to residential areas, there is no residential area adjacent in this case. **Can be addressed as part of Final Development Plans for this property. Kahl Home is approximately 45 feet high at its tallest point. It is Council's decision ultimately; Planning staff would prefer heights be expressed in feet rather than stories.**

For the property immediately east of Jersey Farms and south of Veterans – place some conditions on the parcel to limit height and density. If Jersey Farms 11th can't be dedicated at green space/park, consider setting aside similar sized area at this parcel for same. **See above.**

Construct sidewalk on the west side of Utica Ridge Road south of Walsh Point. **Not relevant to these cases**

Considerations: Does the hotel have to be 100' tall? Could a shorter version be considered? **Developer decision, height is permitted under PDD. Considerable design work has been done and changing it would alter the site plan significantly.**

Visibility, noise abatement, water runoff and lighting issues remain neighborhood concerns. **Are being addressed through conditions of both the Rezoning and Final Development Plans**

City of Davenport

Committee: CD
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 563-326-7743
Wards: 6

Action / Date
CD10/15/2014

Subject:

Resolution approving Case No. FDP14-04 being the final development plan for the Rhythm City Casino, located north of Veteran's Memorial Parkway and east of Jersey Ridge Road. [6th Ward] **NOTE: this item will moved to the Special City Council Meeting to be held immediately after this meeting.**

Recommendation:

Staff recommends holding this item at Committee pending action on the related Rezoning petition.

The City Plan and Zoning Commission concurs with the findings and recommendation of City staff and recommends that the final plat be approved subject to the following conditions and as stated in the letter from the Chairperson dated October 1, 2014.

Note that the standard conditions listed on the Commission's October 1, 2014 letter are standard requirements of City Ordinances and not repeated here.

The Commission vote for approval was 7-yes, 2-no.

Relationship to Goals:

Added emphasis on economic development
Resolve land-based casino

Background:

The final development plan provides design details for the proposed Rhythm City Casino.

The project proposes the following:

- o 33,800 square foot casino floor
- o 7 story, 143 room hotel (95 feet in height)
- o Flexible event center seating up to 1500
- o 298,000 square feet total building envelope
- o 2093 parking spaces

In consideration of the unique impacts associated with the proposed development, several conditions have been recommended by the Plan and Zoning Commission.

Please refer to the Commission's letter and background materials for further information.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution FDP14-04
▣ Backup Material	FDP14-04 P&Z letter
▣ Backup Material	FDP14-04 Staff Report

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	10/30/2014 - 12:04 PM

Resolution No. _____

Resolution offered by

RESOLVED by the Community Development Committee of the City of Davenport.

RESOLUTION approving Case No. FDP14-04, being the final development plan for the Rhythm City Casino, located north of Veteran's Memorial Parkway and east of Jersey Ridge Road, containing seven lots for commercial and office development. [6th Ward]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final development plan for the Rhythm City Casino is hereby approved and accepted subject to all the conditions as stated in the Plan and Zoning Commission's letter dated October 1, 2014 as follows:

1. Lighting. All exterior lighting, including drive aisles, parking lots, pedestrian paths and building lighting, shall utilize LED "Dark Sky" fixtures. Overall illumination standards shall not exceed the limits outlined in Chapter 17.56.040 (O) of the Davenport Municipal Code.
2. Connectivity. The interior circulation network includes at least one driveway and sidewalk connection from proposed Lot 2 (Casino Site) and Lot 4 of River 80 First Addition.
3. Outdoor entertainment. Outdoor concerts and other outdoor special events shall be limited to no more than six (6) per calendar year. Stage and PA orientation shall not be oriented to the south. Owner shall obtain any required variances for noise from the City, if required.
4. Signage. A signage plan for proposed Lot 2 (Casino Site) shall meet the requirements of Chapter 17.45 (Sign Regulations) and shall be reviewed by the Plan and Zoning Commission prior to its approval by the City.
5. Buffering. The owners of proposed Lots 5 and 6 of River 80 First Addition shall work with the City to develop an appropriate buffer, including berms and landscaping, complimentary to that which exists immediately south of Veteran's Memorial Parkway. Any berms shall not conflict with existing or future utility easements.
6. Final Design Review shall be completed in conjunction with site plan review as noted above.

Note that standard condition 1 listed on the Commission's October 1, 2014 letter (included in background information) are standard requirements of City Ordinances and not repeated here; and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution upon said plat as required by law.

Approved:

William E. Gluba, Mayor

Attest:

Jackie E. Holecek, City Clerk



**Plan and Zoning Commission
City of Davenport**

October 1, 2014

Mayor and City Council
City of Davenport Iowa
City Hall, 226 West 4th Street
Davenport, Iowa 52801

Subject: FDP14-04

Dear Mayor Gluba and Council Members:

At its September 30, 2014 meeting, the Plan and Zoning Commission voted 7-yes (Elgatian, Tallman, Gere, Connell, d'Autremont, Cartee, Martinez) 2-no (Martin, Lammers) 1-abstention (Kelling) to recommend the City Council approve Case No. F14-04, the Final Development Plan of the Rhythm City Casino, with the following conditions:

Standard Conditions:

1. All development shall meet the requirements of Chapters 13.34 (Stormwater Management), 15.44 (Flood Damage Protection), 17.56 (Site Plans), and all applicable Chapters of the Davenport Municipal Code

Non-Standard Conditions:

1. **Lighting.** All exterior lighting, including drive aisles, parking lots, pedestrian paths and building lighting, shall utilize LED "Dark Sky" fixtures. Overall illumination standards shall not exceed the limits outlined in Chapter 17.56.040 (O) of the Davenport Municipal Code.
2. **Connectivity.** The interior circulation network includes at least one driveway and sidewalk connection from proposed Lot 2 (Casino Site) and Lot 4 of River 80 First Addition.
3. **Outdoor entertainment.** Outdoor concerts and other outdoor special events shall be limited to no more than six (6) per calendar year. Stage and PA orientation shall not be oriented to the south. Owner shall obtain any required variances for noise from the City, if required.

4. Signage. A signage plan for proposed Lot 2 (Casino Site) shall meet the requirements of Chapter 17.45 (Sign Regulations) and shall be reviewed by the Plan and Zoning Commission prior to its approval by the City.

5. Buffering. The owners of proposed Lots 5 and 6 of River 80 First Addition shall work with the City to develop an appropriate buffer, including berms and landscaping, complimentary to that which exists immediately south of Veteran's Memorial Parkway. Any berms shall not conflict with existing or future utility easements.

6. Final Design Review shall be completed in conjunction with site plan review as noted above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Ingram', with a stylized flourish extending to the right.

Bob Ingram, Chair
Davenport Plan and Zoning Commission



PLAN AND ZONING COMMISSION

Meeting Date: September 30, 2014
Request: Final Development Plan for Rhythm City Casino
Location: 40.00 Acres, more or less located north of Veteran's Memorial Parkway, east of Jersey Ridge Road, south of Interstate 80, and west of Interstate 74 (along Elmore Avenue, extended).
Project Name: Rhythm City Casino
Case No.: FDP14-11
Petitioner: Scott County Casino, LLC

Prepared By: Matthew G. Flynn, AICP, Senior Planning Manager
Tel: (563) 326-7743
E-mail: mflynn@ci.davenport.ia.us

STAFF RECOMMENDATION

1. **Staff recommends the Final Development Plan for the Rhythm City Casino be forwarded to the City Council with a recommendation for approval, including the conditions listed herein.**

BACKGROUND

Overview:

Scott County Casino, LLC, has announced plans for a new land-based Rhythm City Casino Complex. The project proposes the following:

- 33,800 square foot casino floor
- 7 story, 143 room hotel (95 feet in height)
- Flexible event center seating up to 1500
- 298,000 square feet total building envelope
- 2093 parking spaces

In addition to the casino complex, and beyond the scope of the proposed PDD, the concept plan includes the following in the proposed River 80 development:

- 200 room resort hotel
- 250,000 square foot shopping center
- 150,000 square foot shopping center
- 100,000 square feet of office space

These developments will occur in the future. Final Development Plans will be required. Conditions specific to those future developments will be drafted at that time to address specific design issues.

Refer to the attachments included with the staff report for CP14-04 for detailed maps, illustrations and other information.

Technical Review:

See the staff report for F14-11 for technical review comments.

PUBLIC INPUT

See the staff report for REZ14-09 for a summary of public comments received to date.

DISCUSSION

Approval of the final development plan should be contingent upon the rezoning being approved. To address specific issues associated with the proposed development, a number of conditions are suggested. They are:

1. Lighting. Concerns about the degree of lighting have been expressed. Suggested condition: All exterior lighting, including drive aisles, parking lots, pedestrian paths and building lighting, shall utilize LED "Dark Sky" fixtures. Overall illumination standards shall not exceed the limits outlined in Chapter 17.56.040 (O) of the Davenport Municipal Code.
2. Connectivity. In order to support connectivity throughout the commercial development, staff suggests this condition: The interior circulation network includes at least one driveway and sidewalk connection from proposed Lot 2 (Casino Site) and Lot 4 of River 80 First Addition.
3. Outdoor entertainment. The developer's other casinos hold occasional outdoor concerts and other events. Proposed Condition: Outdoor concerts and other outdoor special events shall be limited to no more than six (6) per calendar year. Stage and PA orientation shall not be oriented to the south. Owner shall obtain any required variances for noise from the City, if required.
4. Signage. No sign details have been provided yet. Proposed Condition: A signage plan for proposed Lot 2 (Casino Site) shall meet the requirements of Chapter 17.45 (Sign Regulations) and shall be reviewed by the Plan and Zoning Commission prior to its approval by the City.
5. Buffering. Concern has been expressed about buffering the entire commercial development to the south. While not impacting the proposed casino site directly, this condition puts all parties on notice that particular attention to buffering will be expected when the closest lots move forward with development plans. Proposed condition: The owners of proposed Lots 5 and 6 of River 80 First Addition shall work with the City to develop an appropriate buffer, including berms and landscaping, complimentary to that which exists immediately south of Veteran's Memorial Parkway. Any berms shall not conflict with existing or future utility easements.
6. The final non-standard condition stipulates that design details will be coordinated with site plan review (a standard element of the building permit process) at a later time. Proposed Condition: Final Design Review shall be completed in conjunction with site plan review as noted above.

STAFF RECOMMENDATION

Findings:

1. The proposed development is consistent with the Comprehensive Plan Designation of CR, Commercial Retail and the PDD zoning.

Recommendation:

Standard Conditions:

1. All development shall meet the requirements of Chapters 13.34 (Stormwater Management), 15.44 (Flood Damage Protection), 17.56 (Site Plans), and all applicable Chapters of the Davenport Municipal Code

Non-Standard Conditions:

1. Lighting. All exterior lighting, including drive aisles, parking lots, pedestrian paths and building lighting, shall utilize LED "Dark Sky" fixtures. Overall illumination standards shall not exceed the limits outlined in Chapter 17.56.040 (O) of the Davenport Municipal Code.
2. Connectivity. The interior circulation network includes at least one driveway and sidewalk connection from proposed Lot 2 (Casino Site) and Lot 4 of River 80 First Addition.
3. Outdoor entertainment. Outdoor concerts and other outdoor special events shall be limited to no more than six (6) per calendar year. Stage and PA orientation shall not be oriented to the south. Owner shall obtain any required variances for noise from the City, if required.
4. Signage. A signage plan for proposed Lot 2 (Casino Site) shall meet the requirements of Chapter 17.45 (Sign Regulations) and shall be reviewed by the Plan and Zoning Commission prior to its approval by the City.
5. Buffering. The owners of proposed Lots 5 and 6 of River 80 First Addition shall work with the City to develop an appropriate buffer, including berms and landscaping, complimentary to that which exists immediately south of Veteran's Memorial Parkway. Any berms shall not conflict with existing or future utility easements.
6. Final Design Review shall be completed in conjunction with site plan review as noted above.

City of Davenport

Committee: CD
Department: Community Planning & Economic Development
Contact Info: Matt Flynn 563-326-7743
Wards: 6

Action / Date
CD10/15/2014

Subject:

Resolution approving Case No. P14-02 being the preliminary plat of River 80 First Addition, located north of Veteran's Memorial Parkway and east of Jersey Ridge Road, containing seven lots for commercial and office development. [6th Ward] **NOTE: this item will moved to the Special City Council Meeting to be held immediately after this meeting.**

Recommendation:

The City Plan and Zoning Commission concurs with the findings and recommendation of City staff and recommends that the final plat be approved subject to the following conditions and as stated in the letter from the Chairperson dated October 1, 2014.

Note that the standard conditions listed on the Commission's October 1, 2014 letter are standard requirements of City Ordinances and not repeated here.

The Commission vote for approval was 5-yes, 4-no and 1-abstention.

Relationship to Goals:

Added emphasis on economic development
Resolve land-based casino

Background:

This preliminary plat establishes the basis for lots for the development of the Rhythm City Casino and associated commercial development known as River 80. Included in the seven new lots will be one devoted to storm water management for the property. The plat also facilitates the dedication of a 120 foot right-o-way for the construction of the extension of Elmore Avenue.

The City Plan and Zoning Commission also recommends approval of the Preliminary Plat for River 80 First addition and also finds that:

- Upon rezoning, will be consistent with the Comprehensive Plan
- Urban services are available
- Readies land for development.

Please refer to the Commission's letter and background materials for further information.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	Resolution P14-02
▣ Backup Material	Resolution P14-02 P&Z Commission letter
▣ Backup Material	Resolution P14-02 Staff Report

REVIEWERS:

Department	Reviewer	Action	Date
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Resolution No. _____

Resolution offered by

RESOLVED by the Community Development Committee of the City of Davenport.

RESOLUTION approving Case No. P14-02 being the preliminary plat of River 80 First Addition, located north of Veteran's Memorial Parkway and east of Jersey Ridge Road, containing seven lots for commercial and office development. [6th Ward]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the preliminary plat of River 80 First Addition is hereby approved and accepted subject to all the conditions as stated in the Plan and Zoning Commission's letter dated October 1, 2014 as follows:

1. The City of Davenport is listed as owner/developer of Lot 3 (storm water detention). This is not correct. The developer must discuss the ownership and maintenance of Lot 3 with the City Natural Resources Division to determine what is acceptable to the City.
2. Note number 3 which refers to detention on Lot 3 is to be reviewed by the City Natural Resources Division and corrections made as necessary.
3. Existing streets are shown along with their right-of-way dimensions and pavement widths.
4. Only the existing pavement is to be shown on Veterans Memorial parkway, the proposed pavement should be removed.
5. The name of the surveyor is shown.
6. Current zoning is shown.
7. The boundaries and owners of adjacent land is shown.
8. Existing culverts are shown.
9. Existing storm and sanitary sewers with size are shown.
10. Building setback lines are shown.
11. The surveyor signs the plat.

Note that standard conditions 1 listed on the Commission's October 1, 2014 letter (included in background information) are standard requirements of City Ordinances and not repeated here; and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution upon said plat as required by law.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk



**Plan and Zoning Commission
City of Davenport**

October 1, 2014

Mayor and City Council
City of Davenport Iowa
City Hall, 226 West 4th Street
Davenport, Iowa 52801

Subject: P14-02

Dear Mayor Gluba and Council Members:

At its September 30, 2014 meeting, the Plan and Zoning Commission voted 5-yes (Elgatian, Tallman, Gere, Connell, d'Autremont) 4-no (Cartee, Martin, Lammers, Martinez) 1-abstention (Kelling) to recommend the City Council approve Case No. P14-02, the Preliminary Plat of River 80 First Addition with the following conditions:

Standard Conditions:

1. Upon final platting the required right-of-way and easements are dedicated. This shall include temporary and permanent easements and right-of-way necessary for the construction of Elmore Avenue and Veteran's Memorial Parkway.

Non-Standard Conditions:

1. The City of Davenport is listed as owner/developer of Lot 3 (storm water detention). This is not correct. The developer must discuss the ownership and maintenance of Lot 3 with the City Natural Resources Division to determine what is acceptable to the City.
2. Note number 3 which refers to detention on Lot 3 is to be reviewed by the City Natural Resources Division and corrections made as necessary.
3. Existing streets are shown along with their right-of-way dimensions and pavement widths.
4. Only the existing pavement is to be shown on Veterans Memorial parkway, the proposed pavement should be removed.

5. The name of the surveyor is shown.
6. Current zoning is shown.
7. The boundaries and owners of adjacent land is shown.
8. Existing culverts are shown.
9. Existing storm and sanitary sewers with size are shown.
10. Building setback lines are shown.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Ingram', with a stylized flourish extending to the right.

Bob Ingram, Chair
Davenport Plan and Zoning Commission



PLAN AND ZONING COMMISSION

Meeting Date: September 30, 2014
Request: Preliminary Plat of River 80 First Addition
Location: 108.738 Acres, more or less located north of Veteran's Memorial Parkway, east of Jersey Ridge Road, south of Interstate 80, and west of Interstate 74.
Project Name: Rhythm City Casino, River 80 Reinvestment District
Case No.: P14-02
Petitioner: Jersey Roads, LC, QC Equity Investments LLC, Ridges LC

Prepared By: Matthew G. Flynn, AICP, Senior Planning Manager
Tel: (563) 326-7743
E-mail: mflynn@ci.davenport.ia.us

STAFF RECOMMENDATION

1. **Staff recommends the Preliminary Plat of River 80 First Addition be forwarded to the Community Development Committee for approval with the conditions stipulated below.**

BACKGROUND

Overview:

Because this property has never been platted and involves the dedication of a new street (Elmore Avenue), a preliminary plat is required. A Preliminary Plat is designed to present a generalized concept on how an area is to be developed, in advance of consideration of the Final Plat.

River 80 First Addition provides for seven lots, one being devoted to regional stormwater detention, as well as 120 feet of right-of-way for an extension of Elmore Avenue.

In this case, the final plat is immediately forthcoming, but nonetheless, a preliminary plat provides important base information staff deemed necessary as part of the overall review of this development.

Technical Review:

Technical review comments have been requested. A summary of technical review comments are included in the staff report for F14-11.

Public Comments:

Public comments are not specifically requested for platting applications.

RECOMMENDATION

Findings:

1. Upon rezoning, will be consistent with the Comprehensive Plan
2. Urban services are available
3. Readies land for development.

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. P14-02, the Preliminary Plat of River80 First Addition, to the Community Development Committee for approval with the following conditions:

Standard Conditions:

1. Upon final platting the required right-of-way and easements are dedicated. This shall include temporary and permanent easements and right-of-way necessary for the construction of Elmore Avenue and Veteran's Memorial Parkway.

Non-Standard Conditions:

1. The City of Davenport is listed as owner/developer of Lot 3 (storm water detention). This is not correct. The developer must discuss the ownership and maintenance of Lot 3 with the City Natural Resources Division to determine what is acceptable to the City.
2. Note number 3 which refers to detention on Lot 3 is to be reviewed by the City Natural Resources Division and corrections made as necessary.
3. Existing streets are shown along with their right-of-way dimensions and pavement widths.
4. Only the existing pavement is to be shown on Veterans Memorial parkway, the proposed pavement should be removed.
5. The name of the surveyor is shown.
6. Current zoning is shown.
7. The boundaries and owners of adjacent land is shown.
8. Existing culverts are shown.
9. Existing storm and sanitary sewers with size are shown.
10. Building setback lines are shown.

City of Davenport

Committee: CD

Department: Community Planning & Economic Development

Contact Info: Matt Flynn 563-326-7743

Wards: 6

Action / Date

10/15/2014

Subject:

Resolution approving Case No. F14-11 being the final plat of River 80 First Addition, located north of Veteran's Memorial Parkway and east of Jersey Ridge Road, containing seven lots for commercial and office development. [6th Ward] **NOTE: this item will moved to the Special City Council Meeting to be held immediately after this meeting.**

Recommendation:

The City Plan and Zoning Commission concurs with the findings and recommendation of City staff and recommends that the final plat be approved subject to the following conditions and as stated in the letter from the Chairperson dated October 1, 2014.

Note that the standard conditions listed on the Commission's October 1, 2014 letter are standard requirements of City Ordinances and not repeated here.

The Commission vote for approval was 5-yes, 4-no and 1-abstention.

Relationship to Goals:

Added emphasis on economic development

Resolve land-based casino

Background:

This final plat prepares the lots for the development of the Rhythm City Casino and associated commercial development known as River 80. Included in the seven new lots will be one devoted to storm water management for the property. The plat also facilitates the dedication of a 120 foot right-o-way for the construction of the extension of Elmore Avenue.

The City Plan and Zoning Commission also recommends approval of the Preliminary Plat for River 80 First addition and also finds that:

- Upon rezoning, will be consistent with the Comprehensive Plan
- Urban services are available
- Readies land for development.

Please refer to the Commission's letter and background materials for further information.

ATTACHMENTS:

Type	Description
□ Cover Memo	Resolution F14-11
□ Backup Material	Resolution F14-11 P&Z Commission letter
□ Backup Material	Resolution F14-11 Staff Report

REVIEWERS:

Department	Reviewer	Action	Date
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Resolution No. _____

Resolution offered by

RESOLVED by the Community Development Committee of the City of Davenport.

RESOLUTION approving Case No. F14-11 being the final plat of River 80 First Addition, located north of Veteran's Memorial Parkway and east of Jersey Ridge Road, containing seven lots for commercial and office development. [6th Ward]

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the final plat of River 80 First Addition is hereby approved and accepted subject to all the conditions as stated in the Plan and Zoning Commission's letter dated October 1, 2014 as follows:

1. The surveyor signs the plat.
2. The utility companies sign the plat when their easement needs have been met.
3. The Natural Resources Division of the Public Works Department is notified prior to any construction and that the storm water requirements of City Code Section 13.34 are followed.
4. A note is added to the plat stating that sidewalks shall be constructed along the public right-of-way prior to the issuance of occupancy permits.
5. The required right-of-way and easements are dedicated. This shall include temporary and permanent easements and right-of-way necessary for the construction of Elmore Avenue and Veteran's Memorial Parkway. There is a minimal amount of additional right-of-way needed at the intersection of Elmore and Veteran's Memorial Parkway and some additional right-of-way along Jersey Ridge Road. The Engineering Division will provide the surveyor with details of these right-of-ways needs.
6. The City of Davenport is listed as owner/developer of Lot 3 (storm water detention). This is not correct. The developer must discuss the ownership and maintenance of Lot 3 with the City Natural Resources Division to determine what is acceptable to the City.
7. Stormwater detention calculations are to be submitted to and approved by the City Natural Resources Division.
8. The graphic scale is corrected.
9. Building setback lines are shown.
10. Existing right-of-way lines are shown and dimensioned.
11. Three elements of all curved lines including radii, arcs and central angles are shown.
12. All lot lines and easement lines have bearings and distances shown.

13. Ties to two quarter corners or two previously established lot corners are shown and identified.
14. Plans for public sanitary sewer are provided to Publics Works for review and approval prior to acceptance of the plat by Council. Street and storm sewer plans are on file. The party responsible under the Joint Development Agreement dated December 3, 2013 as amended on June 25, 2014 will need to extend sanitary sewer from the existing sewer south of Veteran's Memorial Parkway to the site
15. A note is added to the plat stating that the location of access points to Veteran's Memorial Parkway and Elmore Avenue shall be approved by the City Traffic Engineer and in no case be closer than 350 feet to the centerline of the intersection of Veteran's Memorial Parkway and Elmore Avenue.
16. A red-lined copy of the plat has been returned to the surveyor along with other miscellaneous review comments. The plat is to be updated and then reviewed and approved by the Engineering Division prior to acceptance by Council.
17. Dedication of 20' wide utility easements along the front of all lots fronting public streets.
18. Dedication of a minimum 25'x25' "power only" easement area at the front lot lines on the north side of proposed Elmore Avenue.
19. Note 2 is amended to indicate that the party responsible under the Joint Development Agreement dated December 3, 2013 as amended on June 25, 2014 is responsible for construction and stabilization of the detention basin along with installation of native vegetation selected and as directed by the City of Davenport. After a three year maintenance bond, guarantee, or contract, the city will assume responsibility for maintenance of the basin.
20. If the developer requests signalization in the future for any of the entrances in this development, the cost of signalization shall be completely paid for by the developer. Traffic signal warrants from the Manual on Uniform Traffic Control Devices (MUTCD) must be met before signalization is approved. All locations must be approved by the City Traffic Engineer. All traffic signals for this development can be designed and bid by City staff if the developer wishes and the signals will be owned and maintained by the City after installation.
21. If traffic signals meet MUTCD warrants in the future at the intersection of Elmore Avenue and Jersey Ridge Road, the developer shall pay 100% of the cost of signalization. This cost share percentage was calculated based on the fact that the intersection would not have existed if not for the development. These signals will be designed and bid by the City.
22. If traffic signals meet MUTCD warrants in the future at the intersection of Veterans Memorial Parkway and Jersey Ridge Road, the developer shall pay 33% of the cost of signalization, which will also include the changes in the roadway design and paving at the intersection. This cost share percentage was calculated based on the percentage of traffic

from the intersection that was generated by the development. This project will be designed and bid by the City.

23. The developer shall pay 20% of the cost of signalization at the intersection of Elmore Avenue and Veterans Memorial Parkway. These signals are being designed by the City and will be constructed with the Veterans Memorial Parkway project. The cost share has a cap of 20% due to the 80% federal funding for the project.
24. The party responsible under the Joint Development Agreement dated December 3, 2013 as amended on June 25, 2014 shall install a 2-inch PVC conduit near the back of curb along Elmore Avenue from Veterans Memorial Parkway south to the existing dead end of Elmore. This will be used for future communication to the new signals at the intersection.
25. For the purposes of conditions numbered 20 through 23, the "developer" shall be the party bringing forward a final development plan for each lot. As one of the conditions for the final development plan for each lot, a percentage of the total cost will be allocated based on the traffic generation for the lot's use(s).
26. Building height on Lot 5 within River 80 First Addition shall not exceed fifty (50) feet. Further, a 50 foot landscape buffer along Veteran's Memorial Parkway consisting of a 5 – 6 foot undulating berm containing a minimum Class "E" Screen as outlined in Title 17.56 of the Davenport shall be installed prior to the issuance of any Certificate of Occupancy for said Lot 5.

Note that standard conditions 1 through 4 listed on the Commission's October 1, 2014 letter (included in background information) are standard requirements of City Ordinances and not repeated here; and the Mayor and City Clerk be, and they are hereby authorized and instructed to certify to the adoption of this resolution upon said plat as required by law.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk



**Plan and Zoning Commission
City of Davenport**

October 1, 2014

Mayor and City Council
City of Davenport Iowa
City Hall, 226 West 4th Street
Davenport, Iowa 52801

Subject: F14-11

Dear Mayor Gluba and Council Members:

At its September 30, 2014 meeting, the Plan and Zoning Commission voted 5-yes (Elgatian, Tallman, Gere, Connell, d'Autremont) 4-no (Cartee, Martin, Lammers, Martinez) 1-abstention (Kelling) to recommend the City Council approve Case No. F14-11, the Final Plat of River 80 First Addition with the following conditions:

Standard Conditions:

1. The developer shall continue to work with the Engineering Division in the design and construction of public streets, sanitary sewer and storm sewer. Public infrastructure shall be constructed in conformance with the City's Standard Specifications.
2. With platting necessary street right-of-way and easements are to be dedicated. This shall include temporary easements necessary for the construction of Elmore Avenue and Veteran's Memorial Parkway.
3. The developer shall continue to work with the Natural Resources Division and shall comply with Chapters 13.34 (Stormwater Management), and 15.44 (Flood Damage Prevention), of the Davenport Municipal Code.
4. Owner shall pay the required reforestation fee as stipulated in Chapter 16.20.040(G) of the Davenport Municipal Code.

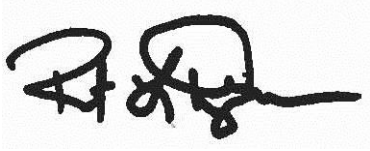
Non-Standard Conditions:

1. The surveyor signs the plat.
2. The utility companies sign the plat when their easement needs have been met.
3. The Natural Resources Division of the Public Works Department is notified prior to any construction and that the stormwater requirements of City Code Section 13.34 are followed.
4. A note is added to the plat stating that sidewalks shall be constructed along the public right-of-way prior to the issuance of occupancy permits.
5. The required right-of-way and easements are dedicated. This shall include temporary and permanent easements and right-of-way necessary for the construction of Elmore Avenue and Veteran's Memorial Parkway. There is a minimal amount of additional right-of-way needed at the intersection of Elmore and Veteran's Memorial Parkway and some additional right-of-way along Jersey Ridge Road. The Engineering Division will provide the surveyor with details of these right-of-ways needs.
6. The City of Davenport is listed as owner/developer of Lot 3 (storm water detention). This is not correct. The developer must discuss the ownership and maintenance of Lot 3 with the City Natural Resources Division to determine what is acceptable to the City.
7. Stormwater detention calculations are to be submitted to and approved by the City Natural Resources Division.
8. The graphic scale is corrected.
9. Building setback lines are shown.
10. Existing right-of-way lines are shown and dimensioned.
11. Three elements of all curved lines including radii, arcs and central angles are shown.
12. All lot lines and easement lines have bearings and distances shown.
13. Ties to two quarter corners or two previously established lot corners are shown and identified.
14. Plans for public sanitary sewer are provided to Publics Works for review and approval prior to acceptance of the plat by Council. Street and storm sewer plans are on file. The developer will need to extend sanitary sewer from the existing sewer south of Veteran's Memorial Parkway to the site
15. A note is added to the plat stating that the location of access points to Veteran's Memorial Parkway and Elmore Avenue shall be approved by the City Traffic Engineer and in no

case be closer than 350 feet to the centerline of the intersection of Veteran's Memorial Parkway and Elmore Avenue.

16. A red-lined copy of the plat has been returned to the surveyor along with other miscellaneous review comments. The plat is to be updated and then reviewed and approved by the Engineering Division prior to acceptance by Council.
17. Dedication of 20' wide utility easements along the front of all lots fronting public streets.
18. Dedication of a minimum 25'x25' "power only" easement area at the front lot lines on the north side of proposed Elmore Avenue.
19. Note 2 is amended to indicate that the developer is responsible for construction and stabilization of the detention basin along with installation of native vegetation selected and as directed by the City of Davenport. After a three year maintenance bond, guarantee, or contract, the city will assume responsibility for maintenance of the basin.
20. If the developer requests signalization in the future for any of the entrances in this development, the cost of signalization shall be completely paid for by the developer. Traffic signal warrants from the Manual on Uniform Traffic Control devices (MUTCD) must be met before signalization is approved. All locations must be approved by the City Traffic Engineer. All traffic signals for this development can be designed and bid by City staff if the developer wishes and the signals will be owned and maintained by the City after installation.
21. If traffic signals meet MUTCD warrants in the future at the intersection of Elmore Avenue and Jersey Ridge Road, the developer shall pay 100% of the cost of signalization. This cost share percentage was calculated based on the fact that the intersection would not have existed if not for the development. These signals will be designed and bid by the City.
22. If traffic signals meet MUTCD warrants in the future at the intersection of Veterans Memorial Parkway and Jersey Ridge Road, the developer shall pay 33% of the cost of signalization, which will also include the changes in the roadway design and paving at the intersection. This cost share percentage was calculated based on the percentage of traffic from the intersection that was generated by the development. This project will be designed and bid by the City.
23. The developer shall pay 20% of the cost of signalization at the intersection of Elmore Avenue and Veterans Memorial Parkway. These signals are being designed by the City and will be constructed with the Veterans Memorial Parkway project. The cost share has a cap of 20% due to the 80% federal funding for the project.
24. The developer shall install a 2-inch PVC conduit near the back of curb along Elmore Avenue from Veterans Memorial Parkway south to the existing dead end of Elmore. This will be used for future communication to the new signals at the intersection.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bob Ingram', with a stylized, cursive script.

Bob Ingram, Chair
Davenport Plan and Zoning Commission



PLAN AND ZONING COMMISSION

Meeting Date: September 30, 2014
Request: Final Plat of River 80 First Addition
Location: 108.738 Acres, more or less located north of Veteran's Memorial Parkway, east of Jersey Ridge Road, south of Interstate 80, and west of Interstate 74.
Project Name: Rhythm City Casino, River 80 Reinvestment District
Case No.: F14-11
Petitioner: Jersey Roads, LC, QC Equity Investments LLC, Ridges LC

Prepared By: Matthew G. Flynn, AICP, Senior Planning Manager
Tel: (563) 326-7743
E-mail: mflynn@ci.davenport.ia.us

STAFF RECOMMENDATION

1. Staff recommends the Final Plat of River 80 First Addition be forwarded to the Community Development Committee for approval with the conditions stipulated below.

BACKGROUND

Overview:

Because this property has never been platted and involves the dedication of a new street (Elmore Avenue), a preliminary plat is required. A Preliminary Plat is designed to present a generalized concept on how an area is to be developed, in advance of consideration of the Final Plat. (See P14-02)

River 80 First Addition provides for seven lots, one being devoted to regional stormwater detention, as well as 120 feet of right-of-way for an extension of Elmore Avenue.

Technical Review:

The property is located within the Urban Service Area of the City and, with incremental extensions of existing utilities, is deemed ready for development.

Streets: Via a development agreement between the City and Scott County Casino, LLC, Elmore Avenue will be extended north from its current terminus approximately ½ mile south of Veteran's Memorial Parkway. It will extend through the site providing access to all lots in the subdivision. It will be constructed as a four lane road with turn lanes. No direct access to either Veteran's Memorial Parkway or Jersey Ridge Road is anticipated.

Traffic studies completed as part of this project identify the eventual need for signalization of the Jersey Ridge Road/Elmore Avenue intersection. Signalization of Elmore Avenue/Veteran's Memorial Parkway will be completed immediately through the development agreement.

Sanitary Sewer: The developer will be required to extend sanitary sewer (sewer) to the site and construct the sewer needed within the site. The developer is responsible for both design and construction costs.

The sewer extension will begin near the north east corner of Jersey Farms 10th addition connecting into an existing 15" main line sewer and continue north and east along the drainage way, cross under Veteran's Memorial Parkway to the site. This is a distance of approximately 2,300 feet.

The sewer must be designed to meet City of Davenport and Iowa DNR Specifications. The developer is required to submit plans and specifications to the Public Works Department and Iowa Department of Natural Resources for review and approval. The developer is responsible for all permitting. Public Works staff will inspect the construction in order to insure specification compliance. Once the sewer is completed and accepted by City Council it will become a public sewer owned by the City.

Stormwater: Stormwater will be directed to a regional basin located on Lot 3 and discharged to the east, eventually depositing into Crow Creek. Little, if any, Stormwater will end up in Pheasant Creek.

Stormwater management, in general, will need to meet the new, stringent, City Stormwater Management Ordinance.

Water: Iowa American Water has indicated that this development will allow the utility to loop the water system, which will provide better service for not only the project, but nearby neighborhoods as well.

Other Utilities: Mid-American Energy is working with the developer to provide electrical service. No unusual problems are anticipated.

Emergency Services: Fire Station #8, located on East 53rd Street, is located less than 2 miles to the south. With the completion of the Elmore Avenue extension, at least two ways for emergency vehicles to service the development will be available.

Public Comments:

Public comments are not specifically requested for platting applications.

RECOMMENDATION

Findings:

1. Upon rezoning, will be consistent with the Comprehensive Plan
2. Urban services are available
3. Readies land for development.

Recommendation:

Staff recommends the Plan and Zoning Commission forward Case No. F14-11, the Final Plat of River 80 First Addition, to the City Council for approval with the following conditions:

Standard Conditions:

1. The developer shall continue to work with the Engineering Division in the design and construction of public streets, sanitary sewer and storm sewer. Public infrastructure shall be constructed in conformance with the City's Standard Specifications.
2. With platting necessary street right-of-way and easements are to be dedicated. This shall include temporary easements necessary for the construction of Elmore Avenue and Veteran's Memorial Parkway.
3. The developer shall continue to work with the Natural Resources Division and shall comply with Chapters 13.34 (Stormwater Management), and 15.44 (Flood Damage Prevention), of the Davenport Municipal Code.
4. Owner shall pay the required reforestation fee as stipulated in Chapter 16.20.040(G) of the Davenport Municipal Code.

Non-Standard Conditions:

1. The surveyor signs the plat.
2. The utility companies sign the plat when their easement needs have been met.
3. The Natural Resources Division of the Public Works Department is notified prior to any construction and that the stormwater requirements of City Code Section 13.34 are followed.
4. A note is added to the plat stating that sidewalks shall be constructed along the public right-of-way prior to the issuance of occupancy permits.
5. The required right-of-way and easements are dedicated. This shall include temporary and permanent easements and right-of-way necessary for the construction of Elmore Avenue and Veteran's Memorial Parkway. There is a minimal amount of additional right-of-way needed at the intersection of Elmore and Veteran's Memorial Parkway and some additional right-of-way along Jersey Ridge Road. The Engineering Division will provide the surveyor with details of these right-of-ways needs.
6. The City of Davenport is listed as owner/developer of Lot 3 (storm water detention). This is not correct. The developer must discuss the ownership and maintenance of Lot 3 with the City Natural Resources Division to determine what is acceptable to the City.
7. Stormwater detention calculations are to be submitted to and approved by the City Natural Resources Division.
8. The graphic scale is corrected.
9. Building setback lines are shown.
10. Existing right-of-way lines are shown and dimensioned.
11. Three elements of all curved lines including radii, arcs and central angles are shown.
12. All lot lines and easement lines have bearings and distances shown.
13. Ties to two quarter corners or two previously established lot corners are shown and identified.
14. Plans for public sanitary sewer are provided to Publics Works for review and approval prior to acceptance of the plat by Council. Street and storm sewer plans are on file. The developer will need to extend sanitary sewer from the existing sewer south of Veteran's Memorial Parkway of to the site
15. A note is added to the plat stating that the location of access points to Veteran's Memorial Parkway and Elmore Avenue shall be approved by the City Traffic Engineer and in no case be closer than 350 feet to the centerline of the intersection of Veteran's Memorial Parkway and Elmore Avenue.
16. A red-lined copy of the plat has been returned to the surveyor along with other miscellaneous review comments. The plat is to be updated and then reviewed and approved by the Engineering Division prior to acceptance by Council.

17. Dedication of 20' wide utility easements along the front of all lots fronting public streets.
18. Dedication of a minimum 25'x25' "power only" easement area at the front lot lines on the north side of proposed Elmore Avenue.
19. Note 2 is amended to indicate that the developer is responsible for construction and stabilization of the detention basin along with installation of native vegetation selected and as directed by the City of Davenport. After a three year maintenance bond, guarantee, or contract, the city will assume responsibility for maintenance of the basin.
20. If the developer requests signalization in the future for any of the entrances in this development, the cost of signalization shall be completely paid for by the developer. Traffic signal warrants from the Manual on Uniform Traffic Control Devices (MUTCD) must be met before signalization is approved. All locations must be approved by the City Traffic Engineer. All traffic signals for this development can be designed and bid by City staff if the developer wishes and the signals will be owned and maintained by the City after installation.
21. If traffic signals meet MUTCD warrants in the future at the intersection of Elmore Avenue and Jersey Ridge Road, the developer shall pay 100% of the cost of signalization. This cost share percentage was calculated based on the fact that the intersection would not have existed if not for the development. These signals will be designed and bid by the City.
22. If traffic signals meet MUTCD warrants in the future at the intersection of Veterans Memorial Parkway and Jersey Ridge Road, the developer shall pay 33% of the cost of signalization, which will also include the changes in the roadway design and paving at the intersection. This cost share percentage was calculated based on the percentage of traffic from the intersection that was generated by the development. This project will be designed and bid by the City.
23. The developer shall pay 20% of the cost of signalization at the intersection of Elmore Avenue and Veterans Memorial Parkway. These signals are being designed by the City and will be constructed with the Veterans Memorial Parkway project. The cost share has a cap of 20% due to the 80% federal funding for the project.
24. The developer shall install a 2-inch PVC conduit near the back of curb along Elmore Avenue from Veterans Memorial Parkway south to the existing dead end of Elmore. This will be used for future communication to the new signals at the intersection.

**CITY OF DAVENPORT
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
SUBDIVISION REFERENCE FILE**

PRELIM **FINAL** **PUD** (circle the appropriate designation)

SUBDIVISION NAME: River 80 First Addition

LOCATION: SW Corner of I-80 + I-74, East of Jersey Ridge Rd

DEVELOPER: Name: See Attached
Address: _____
Phone: _____ FAX: _____
Mobile Phone: _____ Email: _____

ENGINEER: Name: See Attached
Address: _____
Phone: _____ FAX: _____
Mobile Phone: _____ Email: _____

ATTORNEY: Name: See Attached
Address: _____
Phone: _____ FAX: _____
Mobile Phone: _____ Email: _____

OWNER: Name: See Attached
Address: _____
Phone: _____ FAX: _____
Mobile Phone: _____ Email: _____

NUMBER OF LOTS: _____ 5 ACRES: 162.49
SF 2F MF & EST. UNITS COMM IND

STREETS ADDED: 3,815 LINEAR FEET (1 - Detention)

Fee per Plat	Fee
Ten or fewer lots (< 10 lots)	\$400 plus \$25/lot
Eleven to twenty-five lots (≥ 11 lots ≤ 25 lots)	\$700 plus \$25/lot
More than twenty-five lots (> 25 lots)	\$1,000 plus \$25/lot
Reforestation fee (submit to Land Use Office Prior to City Council review)	\$150 per 50 feet of lineal lot frontage

NOTE: THE PLAT WILL NOT BE PROCESSED UNTIL THE FEE AND COMPLETED REFERENCE FILE ARE RECEIVED BY THE PLANNING AND LAND DEVELOPMENT OFFICE.

Developer:

Baxter Construction Co., LLC

Attn: Tony Baxter

3225 Ave. N, Fort Madison, IA 52627

Phone: 319-372-7285

Email: tbaxter@baxterconstructionco.com

Engineer:

McClure Engineering Associates, Inc.

Attn: Brent O. Morlok, P.E., LEED AP

4700 Kennedy Drive, East Moline, IL 61244

Phone: 309-792-9350

Email: b.morlok@mcclureengineering.com

Owner(s) & Attorney (s):

Owner: Scott County Casino LLC

Attn: Dan Kehl

3184 Highway 22, Riverside, IA 52327

Phone: 319-648-0012

Email: dan.kehl@riversidecasinoandresort.com

Attorney: Lane and Waterman

Attn: Curtis Beason

220 N. Main Street, Suite 600, Davenport, IA 52801

Phone: 563-324-3246

Owner: Kahl Home for the Aged & Infirm, Inc.

Attn: Rosalie Thomas

6701 Jersey Ridge Road, Davenport, IA 52807

Phone: 563-324-1621

Attorney: Joseph Polaschek

101 W. 2nd Street, Suite 400, Davenport, IA 52801

Phone: 563-326-1008

Owner: QC Equity Investments LLC

Attn: Rodney Blackwell

201 N. Harrison St, Suite 402, Davenport, IA 52801

Phone: 563-324-9898

Email: rodblackwell@yahoo.com

Attorney: Bush, Motto, Creen, Koury & Halligan, P.L.C.

Attn: Mike Koury

5505 Victoria Ave, Suite 100, Davenport, IA 52807

Phone: 563-344-4900

Email: makoury@bmcklaw.com

Attorney: Pastrnak Law Firm, PC

Attn: Tom Pastrnak

313 W. 3rd Street, Davenport, IA 52801

Phone: 563-323-7737

Email: tpastrnak@pastrnak.com

PLAT of SUBDIVISION
of
RIVER 80 FIRST ADDITION

PART OF THE NORTHEAST QUARTER OF SECTION 6 & NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 78 NORTH RANGE 4 EAST OF THE 5TH PRINCIPAL MERIDIAN, DAVENPORT, SCOTT COUNTY, IOWA

NOTES:

- 1.) DEDICATED RIGHT OF WAY FOR ROADWAY AND UTILITY PURPOSES, AS SHOWN.
- 2.) DETENTION IS REQUIRED FOR THIS ADDITION; THE CITY OF DAVENPORT IS RESPONSIBLE FOR MAINTENANCE OF THE DETENTION BASIN TO BE LOCATED WITHIN LOT 3; AN EASEMENT HAS ALSO BEEN DEDICATED AS SHOWN.
- 3.) A BUFFERYARD IS REQUIRED BY ORDINANCE AND RESOLUTION ALONG LOTS 1 & 2 OF JERSEY FARMS THIRD ADDITION
- 4.) ANY OCCUPANCY PERMIT SHALL NOT BE ISSUED UNTIL THIS PLAT IS RECORDED.
- 5.) LOT 3 HAS A BLANKET DRAINAGE & UTILITY EASEMENT

Lot 2
OWNER/DEVELOPER

SCOTT COUNTY CASINO LLC
3333 IOWA 20
DAVENPORT, IOWA 52327
(319) 646-0012

ATTORNEY

LANE & WATERMAN
220 N. MAIN STREET SUITE 600
DAVENPORT, IOWA 52801
563-324-3246

Lot 3
OWNER/DEVELOPER

CITY OF DAVENPORT

Lot 6
OWNER/DEVELOPER

KAHL HOME FOR THE AGED & INFIRM, INC.

ATTN: ROSALE THOMAS
6701 JERSEY RIDGE ROAD
DAVENPORT, IA 52807

ATTORNEY

JOSEPH A. POLASCHKE
101 W. SECOND STREET, SUITE 400
DAVENPORT, IOWA 52801
563-326-1008

Lots 1, 4, 5, & 7

OWNER/DEVELOPER

OC EQUITY INVESTMENTS LLC
201 N. HARRISON STREET SUITE 402
DAVENPORT, IOWA 52801
563-324-9898

ATTORNEY

MIKE KOURT
5505 KENNEDY AVE. SUITE 100
DAVENPORT, IOWA 52807
563-344-4900

ZONING AND LOT INFORMATION

CURRENT ZONING: R-1 & PUD
TOTAL NUMBER OF LOTS: 7
FRONT YARD BUILDING SETBACK: 25' AND VARIES
REAR YARD BUILDING SETBACK: 30'
SIDE YARD BUILDING SETBACK: 7'
TOTAL AREA: 173.04 ACRES

MID-AMERICAN ENERGY COMPANY

BY: _____
DATE: _____
Approved subject to encumbrances of record by Mid-American Energy Co.

MEDIACOM

BY: _____
DATE: _____

CENTURY LINK

BY: _____
DATE: _____

IOWA-AMERICAN WATER COMPANY

BY: _____
DATE: _____

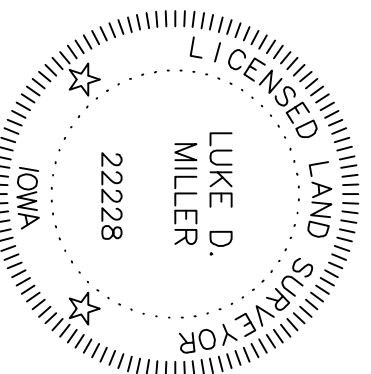
PLANNING AND ZONING COMMISSION

BY: _____
DATE: _____

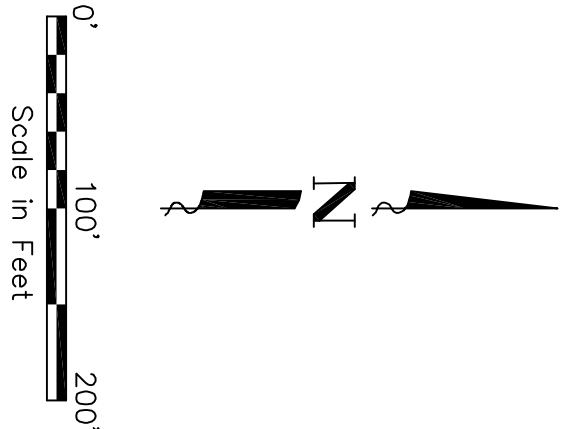
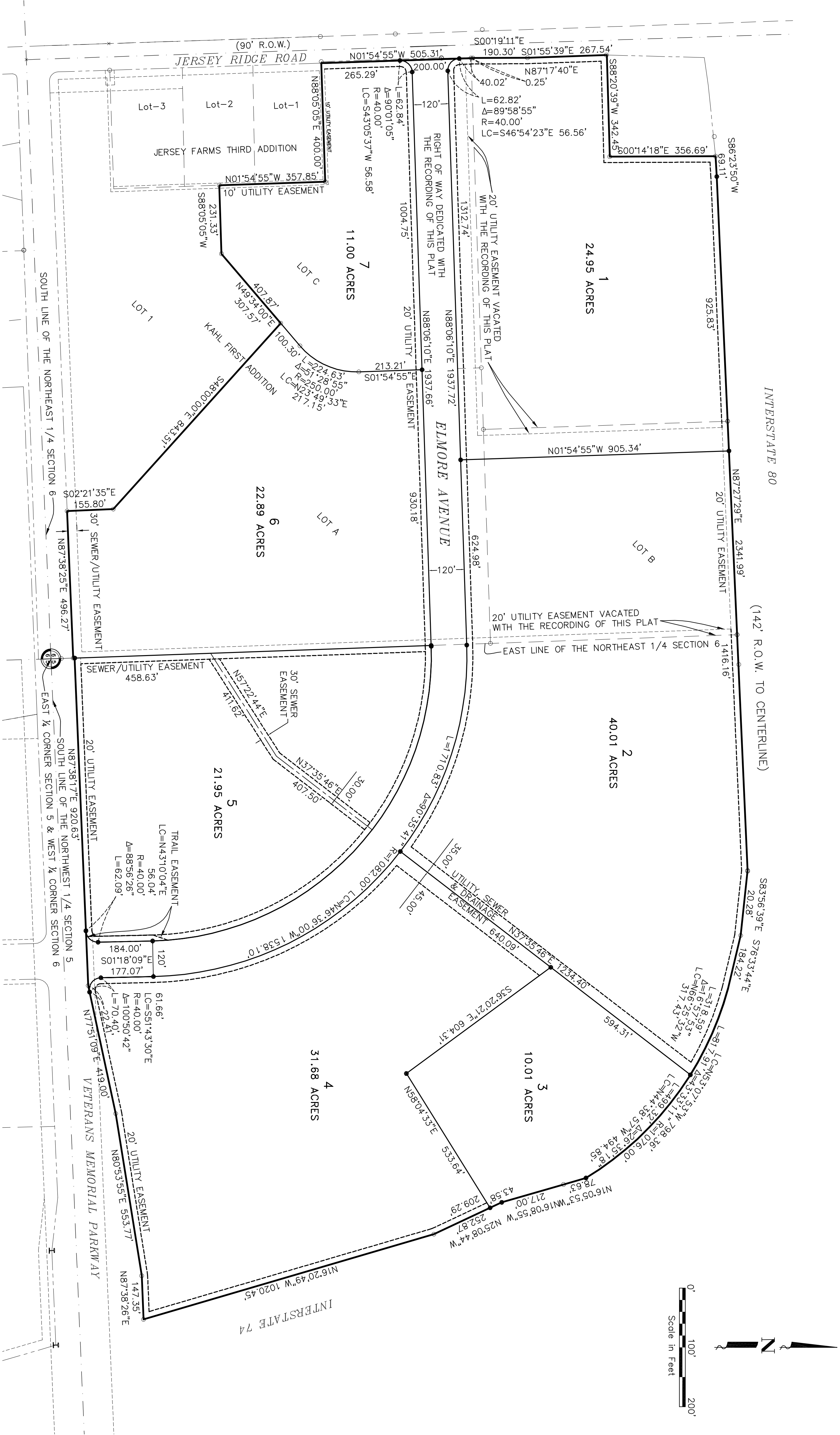
DAVENPORT CITY COUNCIL

BY: _____
DATE: _____

ATTEST:



I hereby certify that this land surveying document was prepared and my professional seal was paid that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Signature: _____ Luke D. Miller
Date: _____ Reg. No. 22228
My license renewal date is December 31, 2014.
Pages or sheets covered by this seal: _____
THIS SHEET ONLY.



LEGEND

- FOUND 5/8" IRON ROD
- (100') BOUNDARY LINE
- DEED OR PLATTED MEASURED DIT
- EASEMENT LINE
- SET 5/8" IRON ROD W/ORANGE PLASTIC CAP 22228

PRELIMINARY - DO NOT RECORD

Barter Construction Co. LLC
3225 Ave. N, Fort Madison, IA 52627

REVISIONS		
NO.	ITEM	DATE

NO.	DATE

McClure Engineering Associates, Inc.
4700 Kennedy Drive
(309) 792-5350
Copyright 2014 By McClure Engineering Associates, Inc.

PLAT of SUBDIVISION	
RIVER 80 FIRST ADDITION	DAVENPORT, IOWA
FILE NAME: T:\VADAT\134\DWG\1434-SUBDIVISION PLAT.dwg	JOB NUMBER: 01-15-14-134

City of Davenport

Committee: Public Safety Committee
Department: City Clerk
Contact Info: Jackie Holecek x6163
Wards: 7th

Action / Date
PS11/5/2014

Subject:

Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s).

Recommendation:

Approve the resolution.

Relationship to Goals:

Support local activities.

Background:

The attached resolution list(s) various requests received for street(s), lane(s) or public grounds to be temporarily closed to hold events.

Maps of all street closures are listed on the city's website under City Services - Street Closures, Detours and Special Events Maps.

ATTACHMENTS:

Type	Description
▢ Cover Memo	Streeting Closings Resolution

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Admin, Default	Approved	10/29/2014 - 10:44 AM
City Clerk	Admin, Default	Approved	10/29/2014 - 10:44 AM

RESOLUTION NO. 2014-

Resolution offered by Alderman Matson

Resolution closing various street(s), lane(s) or public grounds on the listed date(s) to hold outdoor event(s).

RESOLVED by the City Council of the City of Davenport.

Whereas, the City through its Special Events Policy has accepted the following application(s) to hold an outdoor event(s) on the following date(s), and

Whereas, upon review of the application(s) it has been determined that the street(s), lane(s) or public grounds listed below will need to be closed, and

NOW, THEREFORE, BE IT RESOLVED that the City Council approves and directs the staff to proceed with the temporary closure of the following street(s), lane(s) or public grounds on the following date(s) and time(s):

Entity: St. Ambrose University, Galvin Fine Arts Center

Event: SAU Theater Children's Show School Matinee

Date: December 3rd through December 5th

Time: Wednesday, 8:45 AM – Noon; Thursday & Friday 8:45 AM – 2:30 PM

Closure Location: Gaines Street from Locust to Lombard Street

Ward: 7

Approved this 12th day of November, 2014.

Approved:

Attest:



William E. Gluba, Mayor

Jackie E. Holecek, MMC, Deputy City Clerk

City of Davenport

Committee: PUBLIC SAFETY
Department: FINANCE
Contact Info: SHERRY EASTMAN X-7795
Wards: VARIOUS

Action / Date
PS11/5/2014

Subject:
Motion approving beer and liquor license applications.

The following applications have been reviewed by the Police, Fire and Zoning Departments.

A. New license, new owner, temporary permit, temporary outdoor area, location transfer, etc.
(as noted):

Ward 3

4th Street Spirits (4th Street Spirits LLC) - 1530 W 4th St - License type: E Liquor

B. Annual license renewals (with outdoor area renewals as noted):

Ward 3

Gravy's (Gravy's Bar and Grill Inc.) - 1902 Rockingham Rd - License Type: C Liquor

Danceland (Danceland Ltd) - 501 1/2 W 4th St - License Type: C Liquor

Mac's Tavern (Failte Inc) - 316 W 3rd St - Outdoor Area - License Type: C Liquor

Third Street Bar & Grill (Michael D Hauser) - 831 W 3rd St - Outdoor Area - License Type: C Liquor

Ward 4

Stoeger's Bar and Grill (Stoeger's Inc) - 1520 Washington St - License Type: C Liquor

Stickmans (Stickman's Inc.) - 1510 Harrison St - Outdoor Area - License Type: C Liquor

Ward 6

Buaffalo Wild Wings (Blazin' Wings Inc) - 4860 Utica Ridge Rd - Outdoor Area - License Type: C Liquor

Cafe' Indigo (Cafe' Indigo Inc) - 4925 Utica Ridge Rd - Outdoor Area - License Type: B Wine

Huhot Mongolian Grill (CCW LLC) - 3006 E 53rd St - License Type: B Wine

Ward 7

Ganzo's (Ganzo's Ltd) - 3923 Marquette St - Outdoor Area - License Type: C Liquor

Recommendation:

Consider the license applications.

Relationship to Goals:

Support local businesses.

Background:

The following applications have been reviewed by the Police, Fire and Zoning Departments.

A. New license, new owner, temporary permit, temporary outdoor area, location transfer, etc. (as noted):

Ward 3

4th Street Spirits (4th Street Spirits LLC) - 1530 W 4th St - License type: E Liquor

B. Annual license renewals (with outdoor area renewals as noted):

Ward 3

Gravy's (Gravy's Bar and Grill Inc.) - 1902 Rockingham Rd - License Type: C Liquor

Danceland (Danceland Ltd) - 501 1/2 W 4th St - License Type: C Liquor

Mac's Tavern (Failte Inc) - 316 W 3rd St - Outdoor Area - License Type: C Liquor

Third Street Bar & Grill (Michael D Hauser) - 831 W 3rd St - Outdoor Area - License Type: C Liquor

Ward 4

Stoeger's Bar and Grill (Stoeger's Inc) - 1520 Washington St - License Type: C Liquor

Stickmans (Stickman's Inc.) - 1510 Harrison St - Outdoor Area - License Type: C Liquor

Ward 6

Buaffalo Wild Wings (Blazin' Wings Inc) - 4860 Utica Ridge Rd - Outdoor Area - License Type: C Liquor

Cafe' Indigo (Cafe' Indigo Inc) - 4925 Utica Ridge Rd - Outdoor Area - License Type: B Wine

Huhot Mongolian Grill (CCW LLC) - 3006 E 53rd St - License Type: B Wine

Ward 7

Ganzo's (Ganzo's Ltd) - 3923 Marquette St - Outdoor Area - License Type: C Liquor

REVIEWERS:

Department	Reviewer	Action	Date
Public Safety	Admin, Default	Approved	10/30/2014 - 1:51 PM
Public Safety Committee	Admin, Default	Approved	10/30/2014 - 1:51 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 1:51 PM

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Nick Schmuecker; (563) 327-5162
Wards: 1 & 2

Action / Date
PW11/5/2014

Subject:

Resolution approving the plans, specifications, forms of contract and estimated cost for the FY2015 Duck Creek Bike Path Resurfacing Project, CIP Project #10513.

Recommendation:

Approve the resolution.

Relationship to Goals:

Upgraded City Infrastructure and Public Facilities.

Background:

To achieve optimum pricing, the Compost Facility Resurfacing Project is to be jointly bid with the Duck Creek Bike Path Resurfacing Project. The Duck Creek Bike Path Project will repair a deteriorated section of the path between Emeis Park and east of Hickory Grove Rd. A two-inch overlay will restore a level surface free of tripping hazards and drainage issues. Two foot wide granular shoulders will provide pedestrian friendly transitions. Non-ADA compliant curbs along the path will be reconstructed to become compliant. Mainline path will receive a centerline to separate two-way traffic. The projects are scheduled to be bid this winter with construction to be completed by July 1, 2015. Funding for the Duck Creek Bike Path is established within the CIP #10513. The current estimate is \$190,000.

ATTACHMENTS:

Type	Description
□ Backup Material	PW_RES DUCK CREEK BIKE PATH RESURFACING PAGE 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering		Approved	10/30/2014 - 12:03 PM
Public Works Committee	Admin, Default	Approved	10/30/2014 - 3:03 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 3:03 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose.

RESOLVED by the City Council of the City of Davenport.

Resolution approving the plans, specifications, form of contract and estimated cost for the Duck Creek Bike Path Resurfacing Project, FY2015 CIP Project #10513.

WHEREAS, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Duck Creek Bike Path Resurfacing Project.

WHEREAS, Notice of Hearing on plans, specifications and form of contract was published as required by law:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that, said plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the Duck Creek Bike Path Resurfacing Project.

Passed and approved this 12th day of November, 2014.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Tom Leabhart; (563) 326-7729
Wards: 6

Action / Date
PW11/5/2014

Subject:

Resolution authorizing and approving the use of condemnation and commencement of condemnation proceedings associated with the Forest Grove Road Paving Project from Utica Ridge Road to the Bettendorf City Limits, CIP Project #01145.

Recommendation:

Pass the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

The Bi-State Regional Transportation Plan and the City of Davenport Comprehensive Plan upgrades Veteran Memorial Parkway from a two lane road to a four lane minor arterial and major collector from Brady Street to the east corporate limits of the city.

This resolution gives authority to acquire property by purchase, according to section 6A.5 of the Iowa Code and condemnation will only be used if negotiations can not be agreed upon.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	PW/RES - CONDEMNATION FOREST GROVE/UTICA RIDGE #01145

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/29/2014 - 11:11 PM
Public Works Committee	Lechvar, Gina	Approved	10/29/2014 - 11:11 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 10:34 AM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing and approving the use of condemnation and commencement of condemnation proceedings associated with the Forest Grove Road Paving Project from Utica Ridge Road to the Bettendorf City Limits, CIP Project #01145.

WHEREAS, the City Council has authorized the Forest Grove Road Paving Project Utica Ridge Road to the Bettendorf City Limits in the Capital Improvements Program and budgeted money for said project; and

WHEREAS, this project requires that additional right-of-way and easements be acquired in accordance with the approved plans and the associated construction for said project; and

WHEREAS, Section 6B.2C of the Code of Iowa requires that the governing body specifically provide and confer prior authority and approval to the acquiring agency to condemn and/or commence with the condemnation proceedings associated with such public improvement project; and

WHEREAS, by passing this resolution, in accordance with Section 6A.5 of the Code of Iowa, authority and approval is automatically conferred, unless otherwise declared, upon the acquiring agency to also purchase property at its fair market value for right-of-way and/or easements necessary for this project;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City Engineer or his representative be and is hereby authorized and approved to acquire the necessary property and property interest as additional right-of-way and/or easements required for the construction of said public improvement project by means of condemnation, and may commence with condemnation proceedings, as may be necessary.

Passed and approved this 12th day of November, 2014.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Tom Leabhart; (563) 326-7729
Wards: 6

Action / Date
PW11/5/2014

Subject:

Resolution authorizing and approving the use of condemnation and commencement of condemnation proceedings associated with the Veterans Memorial Parkway Paving Project I-74 to Utica Ridge Road, CIP Project #10556.

Recommendation:

Pass the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

The Bi-State Regional Transportation Plan and the City of Davenport Comprehensive Plan includes upgrading Veteran Memorial Parkway from a two-lane road to a four-lane minor arterial and major collector road across the northeastern part of the City. This project will design and construct the portion of paving from Jersey Ridge Road to 500' east of Elmore Avenue. It realigns Veterans Memorial Parkway as detailed in the Environmental Assessment approved by City Council on October 14th, 2009 and the Federal Highway Administration on July 7, 2010. Right-of-Way and easement acquisition has begun.

This resolution is required by Section 6B.2C of the Code of Iowa if there is a possibility condemnation proceedings would be necessary. It also authority to acquire property by purchase according to Section 6A.5 of the Iowa Code and will only be used if negotiations can't be agreed upon.

ATTACHMENTS:

Type	Description
☐ Resolution Letter	PW_RES CONDEMNATION EASEMENT VMP

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/29/2014 - 11:26 PM
Public Works Committee	Admin, Default	Approved	10/30/2014 - 3:03 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 3:04 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing and approving the use of condemnation and commencement of condemnation proceedings associated with the Veterans Memorial Parkway Paving Project I-74 to Utica Ridge Road, CIP Project #10556.

WHEREAS, the City Council has authorized the Veteran's Memorial Paving Project Jersey Ridge Road to I-74 in the Capital Improvements Program and budgeted money for said project; and

WHEREAS, this project requires that additional right-of-way and easements be acquired in accordance with the approved plans and the associated construction for said project; and

WHEREAS, Section 6B.2C of the Code of Iowa requires that the governing body specifically provide and confer prior authority and approval to the acquiring agency to condemn and/or commence with the condemnation proceedings associated with such public improvement project; and

WHEREAS, by passing this resolution, in accordance with Section 6A.5 of the Code of Iowa, authority and approval is automatically conferred, unless otherwise declared, upon the acquiring agency to also purchase property at its fair market value for right-of-way and/or easements necessary for this project;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City Engineer or his representative be and is hereby authorized and approved to acquire the necessary property and property interest as additional right-of-way and/or easements required for the construction of said public improvement project by means of condemnation, and may commence with condemnation proceedings, as may be necessary.

Passed and approved this 12th day of November, 2014.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Tom Leabhart; (563) 326-7729
Wards: 6

Action / Date
PW11/5/2014

Subject:

Resolution authorizing and approving the use of condemnation and commencement of condemnation proceedings for rights of way and easements associated with the Veterans Memorial Parkway Paving Project from Jersey Ridge Road to I-74, CIP Project #02418.

Recommendation:

Pass the resolution.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

The Bi-State Regional Transportation Plan and the City of Davenport Comprehensive Plan includes upgrading Veteran Memorial Parkway from a two-lane road to a four-lane minor arteria and major collector across the northeastern part of the City. This project will design and construct the portion of paving from Jersey Ridge Road to 500' east of Elmore Avenue. It realigns Veterans Memorial Parkway as detailed in the Environmental Assessment approved by City Council on October 14th, 2009 and the Federal Highway Administration on July 7, 2010. Right-of-Way and easement acquisition has begun.

This resolution is required by Section 6B.2C of the Code of Iowa if there is a possibility that condemnation proceedings would be necessary. It also authorizes to acquire property by purchase according to Section 6A.5 of the Iowa Code and will only be used if negotiations can't be agreed upon.

ATTACHMENTS:

Type	Description
□ Resolution Letter	VMP_JRR

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/30/2014 - 11:05 AM
Public Works Committee	Admin, Default	Approved	10/30/2014 - 3:03 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 3:04 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLVED by the City Council of the City of Davenport.

RESOLUTION authorizing and approving the use of condemnation and commencement of condemnation proceedings for rights of way and easements associated with the Veterans Memorial Parkway Paving Project from Jersey Ridge Road to I-74, CIP Project #02418.

WHEREAS, the City Council has authorized the Veteran's Memorial Paving Project Jersey Ridge Road to I-74 in the Capital Improvements Program and budgeted money for said project; and

WHEREAS, this project requires that additional right-of-way and easements be acquired in accordance with the approved plans and the associated construction for said project; and

WHEREAS, Section 6B.2C of the Code of Iowa requires that the governing body specifically provide and confer prior authority and approval to the acquiring agency to condemn and/or commence with the condemnation proceedings associated with such public improvement project; and

WHEREAS, by passing this resolution, in accordance with Section 6A.5 of the Code of Iowa, authority and approval is automatically conferred, unless otherwise declared, upon the acquiring agency to also purchase property at its fair market value for right-of-way and/or easements necessary for this project;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the City Engineer or his representative be and is hereby authorized and approved to acquire the necessary property and property interest as additional right-of-way and/or easements required for the construction of said public improvement project by means of condemnation, and may commence with condemnation proceedings, as may be necessary.

Passed and approved this 12th day of November, 2014.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Nick Schmuecker; (563) 327-5162
Wards: 1 & 2

Action / Date
PW11/5/2014

Subject:

Resolution approving the plans, specifications, forms of contract and estimated cost for the
Fy2015 Compost Facility Resurfacing Project, GL Account #51151976-530319.

Recommendation:

Pass the resolution.

Relationship to Goals:

Upgraded City Infrastructure and Public Facilities.

Background:

To achieve optimum pricing, the Compost Facility Resurfacing Project is to be jointly bid with the Duck Creek Bike Path Resurfacing Project. The Compost Facility Resurfacing will include the area under the canopy and a large exterior portion. The deteriorating asphalt surfacing is in need of repair. A two-inch overlay will provide a long term surface repair that is resistant to heavy equipment, chemical attack, and the general abuse a surface in this environment must undergo. The projects are scheduled to be bid this winter with construction completed by July 1, 2015. Funding for the Compost Facility Resurfacing is established within the annual operating budget of the Compost Facility, GL Account #51151976-530319. The current estimate is \$95,000.

ATTACHMENTS:

Type	Description
▢ Backup Material	PW_RES COMPOST FACILITY RESURFACING PROJECT PAGE 2

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/30/2014 - 12:30 PM
Public Works Committee	Admin, Default	Approved	10/30/2014 - 2:51 PM
City Clerk	Holecek, Jackie	Approved	10/30/2014 - 2:59 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose.

RESOLVED by the City Council of the City of Davenport.

Resolution approving the plans, specifications, form of contract and estimated cost for the Compost Facility Resurfacing Project, FY2015 GL Account #51151976-530319.

WHEREAS, plans, specifications, form of contract and an estimate of cost were filed with the City Clerk of Davenport, Iowa, for the Compost Facility Resurfacing Project.

WHEREAS, Notice of Hearing on plans, specifications and form of contract was published as required by law:

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that, said plans, specifications, form of contract and estimate of cost are hereby approved as the plans, specifications, form of contract and estimate of cost for the Compost Facility Resurfacing Project.

Passed and approved this 12th day of November, 2014.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Public Works Committee
Department: PW- Engineering
Contact Info: Mike Atchley 563-327-5149
Wards: 2

Action / Date
PW11/5/2014

Subject:

Resolution authorizing transfer of ownership of vacated city right-of-way, on the north side of the 4000 block of West Kimberly Road, to Spring Auto Sales, LLC located at 4004 West Kimberly Road, Lot 2.

Recommendation:

Approve the resolution.

Relationship to Goals:

Financially Responsible City Government

Background:

The petitioner, Sam Ukaj, is seeking ownership of city right-of way that was vacated by Council resolution July 2, 2014. The 3,147 square feet of vacated right-of-way is located on the north side of the 4000 Block of West Kimberly Road. The parcel adjacent to it on two sides is currently developed with an automotive sales facility. Obtaining ownership would allow the petitioner to expand the business. When vacating the right-of-way, notices were sent to property owners within 200 feet of the subject property prior to the Plan and Zoning Commission and City Council public hearings. No protests were submitted.

The petitioner proposes to acquire the property from the City for \$1 and pay recording cost.

ATTACHMENTS:

Type	Description
□ Cover Memo	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	11/3/2014 - 4:46 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLUTION authorizing transfer of ownership of vacated city right-of-way, on the north side of the 4000 block of West Kimberly Road, to Spring Auto Sales, LLC located at 4004 West Kimberly Road, Lot 2.

RESOLVED by the City Council of the City of Davenport.

WHEREAS, the City of Davenport owns a certain vacant parcel legally described as:

Part of the Northeast Quarter of Section 17, Township 78 North, Range 3 East of the 5th Principle Meridian, being more particularly described as follows:

Commencing at a point, which is the intersection of the west line of Lot 1 and Lot 2 of Williams First Addition to the City of Davenport as extended southwesterly and the West Kimberly Road (U.S. Highway 6) right of way as it currently exists, also being the Point the Beginning, thence North 43 degrees, 53 ¼ Minutes East 54.5 feet along said extended Lot Line of Lot 1 and Lot 2, thence southeasterly 57.2 feet along a 3699.7 foot radius curve, concave northeasterly, and having a chord bearing South 46 degrees 51 ½ Minutes East 57.2 feet, thence South 42 Degrees 42 Minutes West 54.5 Feet to the West Kimberly Road (U.S. Highway 6) right of way, thence Northwesterly 58.3 feet along the West Kimberly Road (U.S. Highway 6) right of way being a 3754.2 foot radius curve, concave northeasterly, and having a chord bearing North 46 Degrees 51 ½ Minutes West 58.3 feet to the Point of Beginning, containing 3147 square feet, more or less.

WHEREAS, the City of Davenport was deeded this excess right-of-way in 1981 from Iowa DOT and desires to quit claim deed it to petitioner, who is maintaining the lot.

WHEREAS, the petitioner owns and operates an automotive sales facility adjacent to the vacated right-of-way on two sides and desires to own the property to expand the business.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the Mayor and City Clerk are authorized to execute all documents necessary to convey the above real estate to Spring Auto Sale, LLC.

Passed and approved this 12th day of November, 2014

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, City Clerk

City of Davenport

Committee: Public Works
Department: Public Works
Contact Info: Eric Gravert
Wards: 1

Action / Date
PW11/5/2014

Subject:

Motion approving change order #11 to Swanson Construction in the amount of \$27,561.37 for the Credit Island Lodge Reconstruction Project, CIP Project #10600. **COMMITTEE ACTION ONLY**

Recommendation:

Approve the Motion.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

This change order is for the additional cost incurred during the reconstruction of the Credit Island Lodge. Significant fire damage occurred during May 2013.

The increase of contract amount results in the abatement and disposal of lead based paint. The additional cost is \$27,561.37 funded from CIP Project #10600.

SUMMARY OF CONTRACT AMOUNT:

Original Contract:	\$ 1,478,435.00
Previous Change Orders:	\$ -52,693.43
<u>Change Order #11</u>	<u>\$ 27,561.37</u>

Amended Contract Amount: \$ 1,453,302.94

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Lechvar, Gina	Approved	10/30/2014 - 12:36 PM
Public Works Committee	Admin, Default	Approved	10/30/2014 - 2:49 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 2:49 PM

City of Davenport

Committee: Public Works
Department: IT
Contact Info: Rob Henry
Wards: 7

Action / Date
PW11/5/2014

Subject:

Motion approving the site of a city-owned public safety tower with emergency communication services equipment on it within Junge Park and authorizing the City Administrator or his designee to negotiate and execute any documents related thereto.

Recommendation:

Approve the Motion.

Relationship to Goals:

Upgraded City Infrastructure & Public Facilities.

Background:

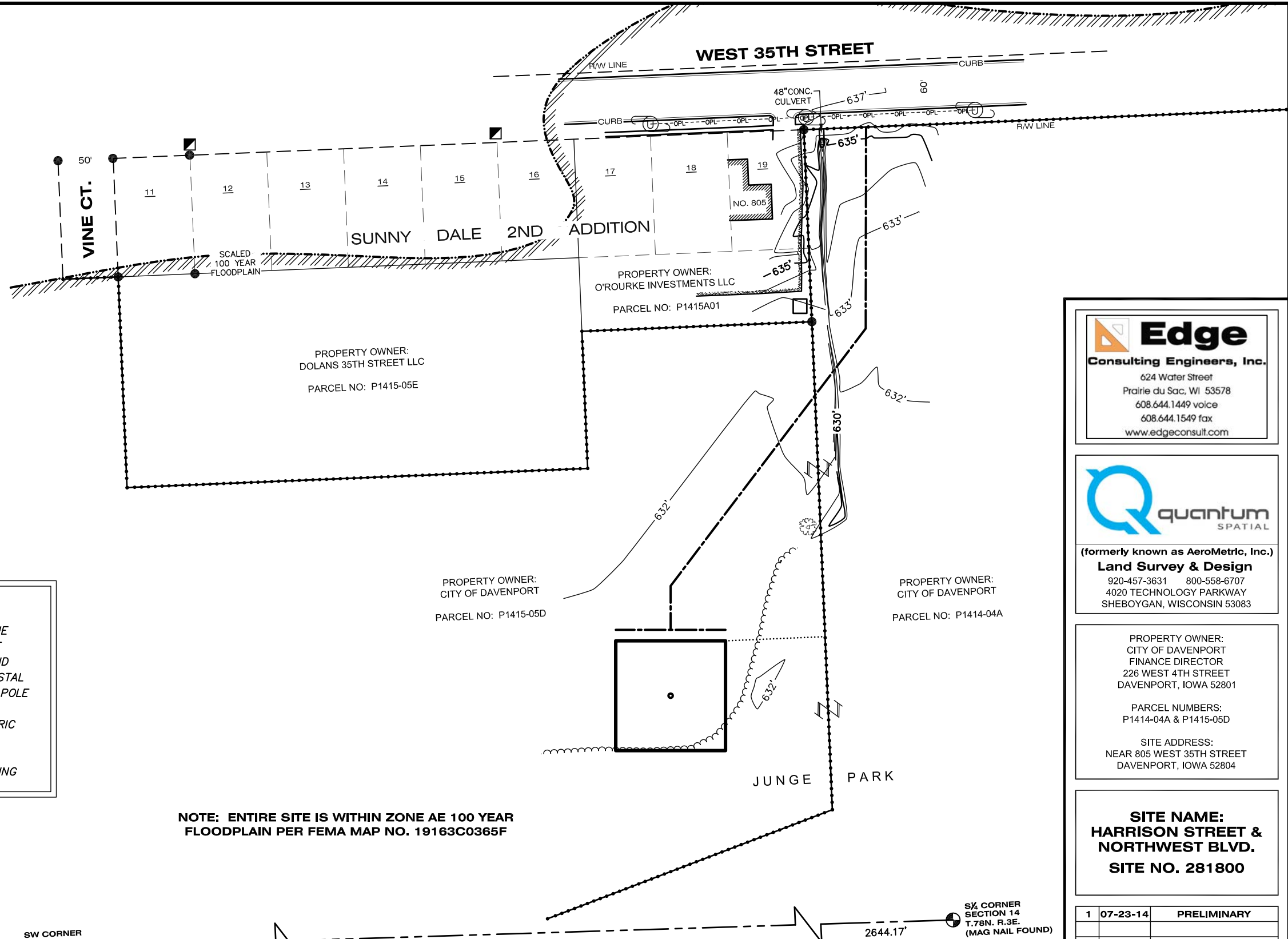
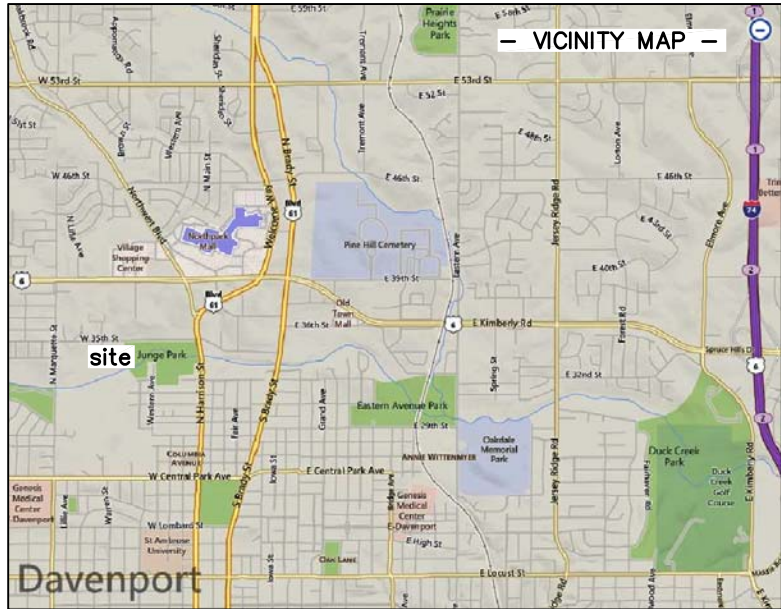
In accordance with the Council's newly adopted procedures, a notice was sent to property owners within 500 feet of the proposed location. In addition, a sign was placed at the location with no less than 10 days advance notice of an onsite meeting. The meeting was held on October 23, 2014, 5:30 p.m., at 705 W 35th Street. The ward alderman, staff, and residents discussed the proposal and siting of the proposed tower. The attached depiction of the site shows the recommended placement that was discussed.

ATTACHMENTS:

Type	Description
▢ Backup Material	Motion_JungePark_Harrison_NWBlvd
▢ Backup Material	Motion_JungePark_TowerLocation

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Admin	Lechvar, Gina	Approved	10/30/2014 - 12:16 PM
Public Works Committee	Admin, Default	Approved	10/30/2014 - 3:33 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 3:33 PM



NOTE: ENTIRE SITE IS WITHIN ZONE AE 100 YEAR FLOODPLAIN PER FEMA MAP NO. 19163C0365F

PROFESSIONAL LAND SURVEYOR'S CERTIFICATE

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Dated this _____ day of _____, 2014.

IOWA PROFESSIONAL LAND SURVEYOR
Anthony P. Lulloff, License No. 19660
My license renewal date is December 31, 2014.

SW CORNER
SECTION 14
T.78N. R.3E.
(CH 'X' FOUND)

S88° 12' 11"W

S 1/4 CORNER
SECTION 14
T.78N. R.3E.
(MAG NAIL FOUND)

2644.17'



**SITE SURVEY FOR VERIZON WIRELESS
PERSONAL COMMUNICATIONS LP**
A PART OF THE SE1/4-SW1/4,
SECTION 14, T.78N. R.3E., CITY OF
DAVENPORT, SCOTT COUNTY, IOWA

Edge
Consulting Engineers, Inc.
624 Water Street
Prairie du Sac, WI 53578
608.644.1449 voice
608.644.1549 fax
www.edgeconsult.com

quantum
SPATIAL
(formerly known as AeroMetric, Inc.)
Land Survey & Design
920-457-3631 800-558-6707
4020 TECHNOLOGY PARKWAY
SHEBOYGAN, WISCONSIN 53083

PROPERTY OWNER:
CITY OF DAVENPORT
FINANCE DIRECTOR
226 WEST 4TH STREET
DAVENPORT, IOWA 52801

PARCEL NUMBERS:
P1414-04A & P1415-05D

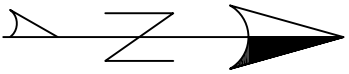
SITE ADDRESS:
NEAR 805 WEST 35TH STREET
DAVENPORT, IOWA 52804

**SITE NAME:
HARRISON STREET &
NORTHWEST BLVD.
SITE NO. 281800**

1	07-23-14	PRELIMINARY

DRAWING FILE: 281800
PROJECT NUMBER: 2140615
DRAWN BY: BJB CHECKED BY: BAB
NOTEBOOK: P-358 PAGES: 44-45

**QS MAP NO. D-1785
SHEET 1 OF 3**



BEARINGS REFERENCED TO THE IOWA
STATE PLANE COORDINATE SYSTEM
NAD 1983 (2011) - SOUTH ZONE



Edge
Consulting Engineers, Inc.

624 Water Street
Prairie du Sac, WI 53578
608.644.1449 voice
608.644.1549 fax
www.edgeconsult.com



(formerly known as AeroMetric, Inc.)
Land Survey & Design
920-457-3631 800-558-6707
4020 TECHNOLOGY PARKWAY
SHEBOYGAN, WISCONSIN 53083

PROPERTY OWNER:
CITY OF DAVENPORT
FINANCE DIRECTOR
226 WEST 4TH STREET
DAVENPORT, IOWA 52801

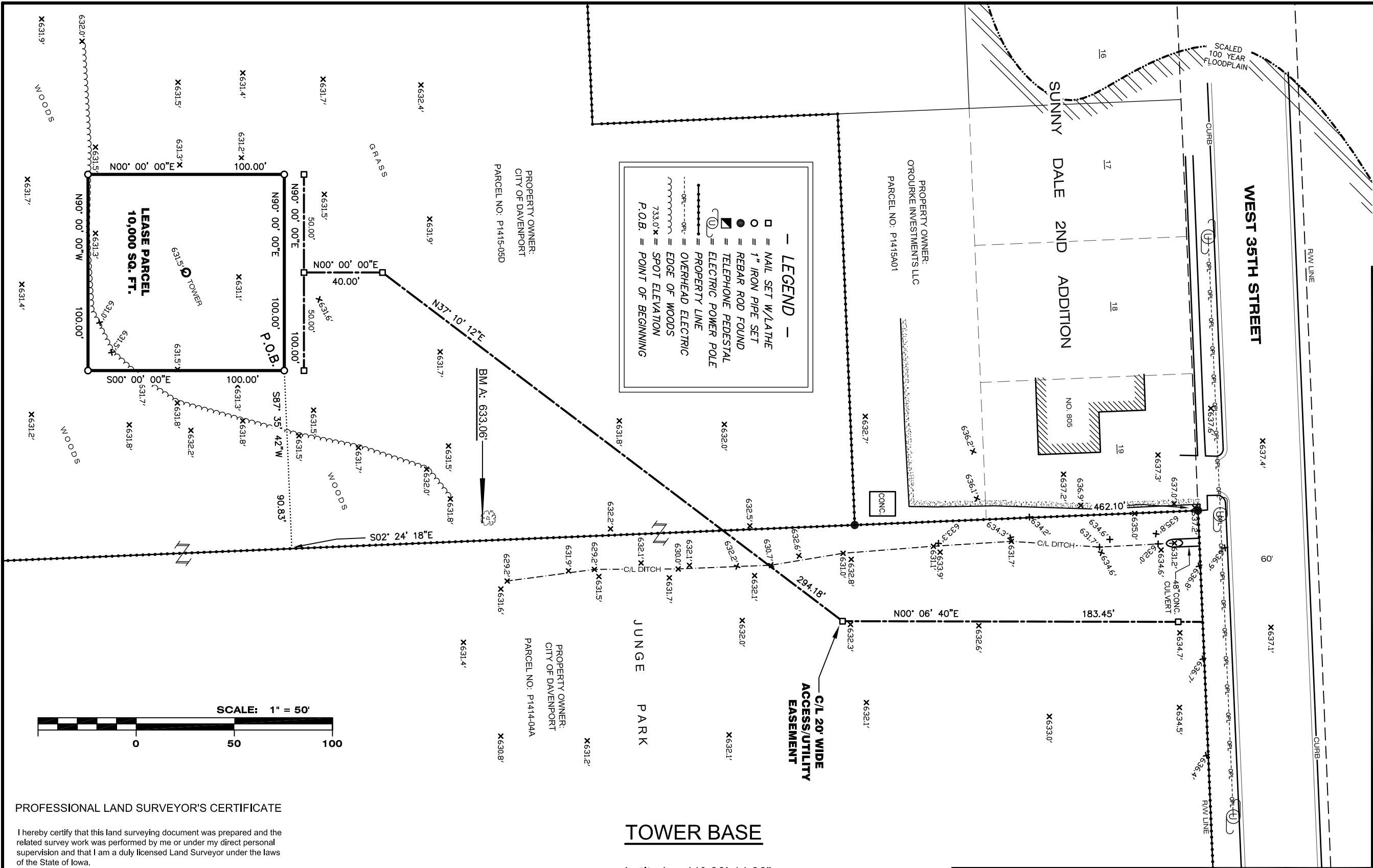
PARCEL NUMBERS:
P1414-04A & P1415-05D

SITE ADDRESS:
NEAR 805 WEST 35TH STREET
DAVENPORT, IOWA 52804

SITE NAME:
**HARRISON STREET &
NORTHWEST BLVD.**
SITE NO. 281800

1	07-23-14	PRELIMINARY
DRAWING FILE: 281800		
PROJECT NUMBER: 2140615		
DRAWN BY: BJB CHECKED BY: BAB		
NOTEBOOK: P-358 PAGES: 44-45		

QS MAP NO. D-1785
SHEET 2 OF 3



— LEGEND —

- = NAIL SET W/LATHE
- = 1" IRON PIPE SET
- = REBAR ROD FOUND
- = TELEPHONE PEDESTAL
- ⊕ = ELECTRIC POWER POLE
- = PROPERTY LINE
- = OVERHEAD ELECTRIC
- ~~~~~ = EDGE OF WOODS
- 733.0' x = SPOT ELEVATION
- P.O.B. = POINT OF BEGINNING

JUNGE PARK

TOWER BASE

Latitude: 41°-33'-14.96"
Longitude: 90°-35'-04.88"
(Per North American Datum of 1983/2011)

Ground Elevation: 631.5'
(Per North American Vertical Datum of 1988)

**SITE SURVEY FOR VERIZON WIRELESS
PERSONAL COMMUNICATIONS LP**
**A PART OF THE SE1/4-SW1/4,
SECTION 14, T.78N. R.3E., CITY OF
DAVENPORT, SCOTT COUNTY, IOWA**

PROFESSIONAL LAND SURVEYOR'S CERTIFICATE

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Dated this _____ day of _____, 2014.

IOWA PROFESSIONAL LAND SURVEYOR
Anthony P. Lulloff, License No. 19660
My license renewal date is December 31, 2014.

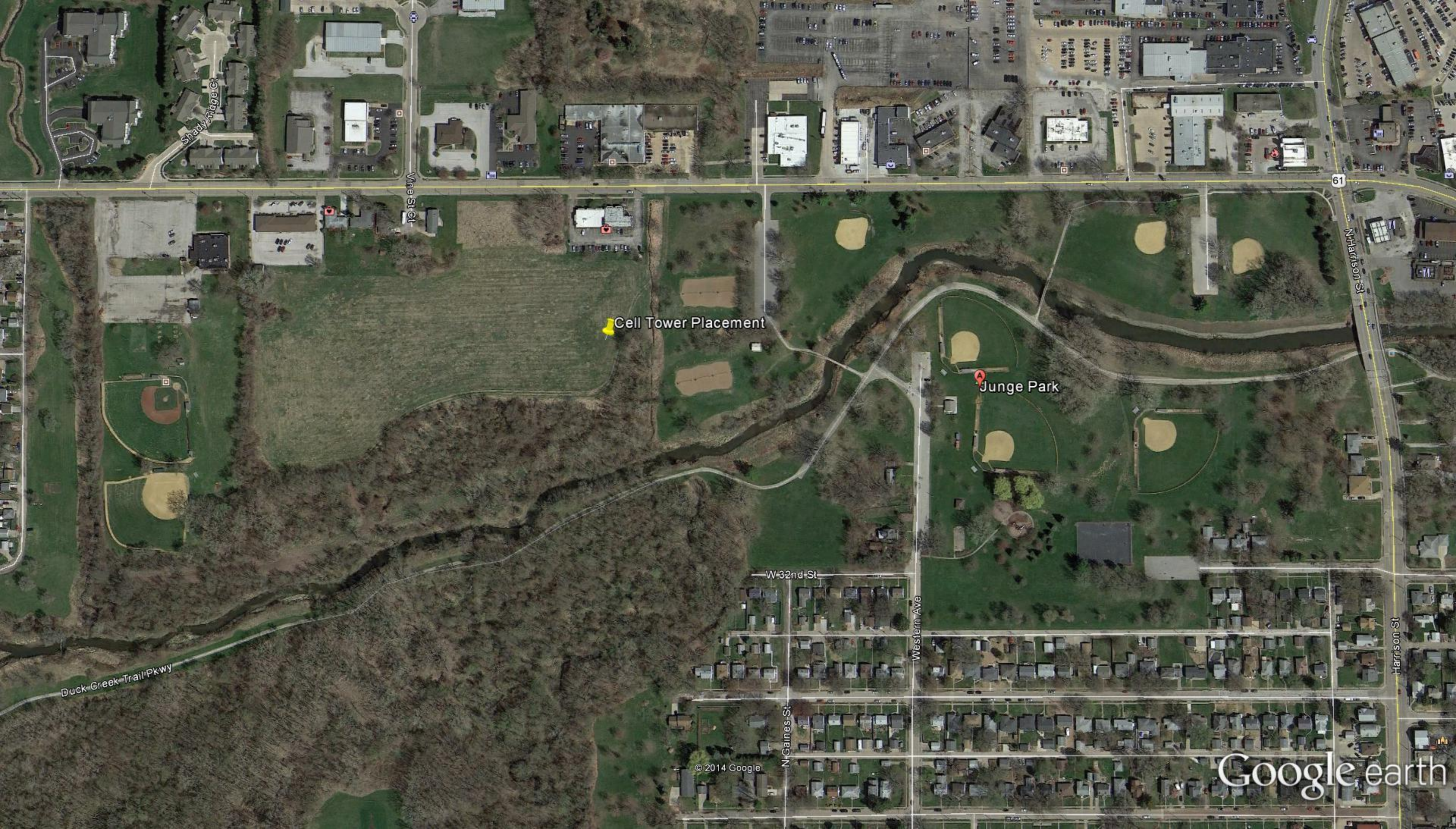
BENCHMARK INFORMATION:

SITE BENCHMARK: (BM A) 6" NAIL SET ON
SOUTHEAST FACE OF 6" ASH TREE AT BASE

ELEVATION = 633.06'



SCALE: 1" = 50'



Shadyridge Ct

Vine St

Cell Tower Placement

Junge Park

61

N Harrison St

Harrison St

W 32nd St

Western Ave

N Gaines St

Duck Creek Trail Pkwy

© 2014 Google

Google earth

City of Davenport

Committee: Finance
Department: Finance - Administration
Contact Info: Mallory Merritt 326-7792
Wards:

Action / Date
FIN11/5/2014

Subject:
RESOLUTION adopting the FY 2016 Budget Policies

Recommendation:
Adopt the resolution

Relationship to Goals:
Financially Responsible City Government

Background:

The Government Finance Officers Association of the United States and Canada recommends that governmental entities include budget guidelines in the budget document that serve as a coherent statement of organization-wide financial and programmatic policies and goals that address long-term concerns and issues. These policies serve as parameters for staff and Council in the preparation of the annual budget. They also provide a framework for staff to link goals and objectives with resources in the budget document.

ATTACHMENTS:

Type	Description
▣ Resolution Letter	FY 2016 Budget Policies - Resolution
▣ Backup Material	FY 2016 Budget Policies

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	10/30/2014 - 5:08 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/30/2014 - 5:08 PM
City Clerk	Admin, Default	Approved	11/3/2014 - 11:40 AM

Resolution No. _____

Resolution offered by Alderman Justin:

RESOLVED by the City Council of the City of Davenport.

RESOLUTION adopting the FY 2016 Budget Policies.

WHEREAS, the Government Finance Officers Association of the United States and Canada recommends that governmental entities include budget guidelines in the budget document to serve as a coherent statement of organization-wide financial and programmatic policies and goals that address long-term concerns and issues; and

WHEREAS, these policies serve as parameters for staff and Council in the preparation of the annual budget; and

WHEREAS, these policies provide a framework for staff to link goals and objectives with resources in the budget document;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport that the attached document entitled Fiscal Year 2016 Budget Policies is hereby adopted.

Approved:

Attest:

Barney Barnhill
Mayor Pro tem

Jackie E. Holecek, City Clerk



BUDGET POLICIES 2016 BUDGET

The city budget process is part of an overall policy framework that guides the services and functions of the City of Davenport. The budget serves an important role in that policy framework by allocating financial resources to implement the city's overall policies. To this end, the budget document serves as a financial plan, an operating guide, a communications device, a statement of values, and a policy document.

- Budget development will be framed by the 2014 customer survey, public input, and city council goals. Departmental strategies and goals will be linked to city council goals.
- Two year budget plans will continue with a two-year budget plan adopted for FY 2016 & FY 2017.
- A focused effort will be made to relate budgeted expenditures to goal-related results. Performance measures will continue to be utilized, monitored, and reported in department budgets.
- The goal of the city's budgeting process is to minimize the tax burden on Davenport citizens while meeting demand for city services. To this end, the city will first address budgetary gaps through departmental reductions in expenditures that minimize reductions in service levels. Revenue options will be explored after reductions in order to provide for a structurally balanced budget.
- Cities are greatly affected by state and federal codes and regulations, employee collective bargaining contracts, property tax rollbacks, and state-mandated employee pension contributions. Certain property tax levies are appropriately not limited by statute, and levy rate increases may be infrequently necessary given this environment. The short-and long-term impact of SF 295 on property tax revenues will be analyzed and the amount of tax revenue necessary to be made whole will be reviewed by the city council.
- User fee increases will be enacted when necessary to maintain cost recovery rates or to diversify revenue. Where possible, fees will be reviewed with the goal of diversifying General Fund revenues.
- The budget will be balanced with projected expenditures not to exceed recurring revenues. The current policy for unassigned General Fund reserves is 15% to 20% of operating expenditures.
- The budget shall provide a basis for revenue and expenditure projections and shall consider long-range operating implications.
- The capital improvement budget and the six-year capital improvement plan (CIP) will include projects that are funded within projected available resources. This program of projects is based on the city's comprehensive planning process, community needs, and the individual proposals of departments, boards, and commissions of local government. The CIP technical committee shall include representatives from all direct service and necessary support departments.
- Due to the state legislature's adoption of SF 295, the City of Davenport, along with all major cities in Iowa, will likely experience large budget shortfalls beginning in FY 2017 that will grow through FY 2024. To this end, the City of Davenport will be proactive in modernizing operations and exploring cost-saving and revenue-enhancement options to mitigate the impact to service levels. Potential areas of review include department/division consolidations, intergovernmental service agreements, new revenue sources, and tax levies.

City of Davenport

Committee: Finance
Department: Finance
Contact Info: Brandon Wright - 7750
Wards: All

Action / Date
FIN11/5/2014

Subject:
Resolution adopting the Internal Revenue Service per diem rate for employee travel.

Recommendation:
Adopt the resolution.

Relationship to Goals:
Financially Responsible City Government

Background:
According to Administrative Policy No. 4.2, the per diem rate paid to employees traveling on official City business will be at the lowest of the current Internal Revenue Service (IRS) standard per diem rates. Effective 11/1/2014, the lowest standard IRS per diem rate was changed from \$46 to \$52.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	10/29/2014 - 3:19 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/29/2014 - 3:20 PM
City Clerk	Admin, Default	Approved	10/29/2014 - 3:21 PM

City of Davenport

Committee: Finance Committee
Department: Public Works
Contact Info: Eric Gravert; (563) 327-5125
Wards: 3

Action / Date
FIN11/5/2014

Subject:

Resolution of acceptance for the construction of the Creative Arts Academy of the Quad Cities at the Davenport Public Library Main Street Branch completed by Estes Company of Davenport, IA for the Davenport Community School District; CIP Project #10212.

Recommendation:

Pass the Resolution.

Relationship to Goals:

Financial Accountability.

Background:

The existing space was converted into classroom and administrative office spaces for the creation of the Creative Arts Academy of the Quad Cities. The final contract amount was \$209,990.54 paid by the Davenport Community School District.

ATTACHMENTS:

Type	Description
▣ Cover Memo	FC RES ACPT Creative Arts Academy of the Quad Cities CIP #10212

REVIEWERS:

Department	Reviewer	Action	Date
Public Works - Engineering	Admin, Default	Approved	10/27/2014 - 4:37 PM
Public Works Committee	Admin, Default	Approved	10/30/2014 - 2:48 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/30/2014 - 2:52 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 2:54 PM

Resolution No. _____

RESOLUTION offered by Alderman Ambrose

RESOLUTION of acceptance for the construction of the Creative Arts Academy of the Quad Cities at the Davenport Public Library Main Street Branch completed by Estes Company of Davenport, IA for the Davenport Community School District; CIP Project #10212.

WHEREAS, the City of Davenport entered into a contract with Estes Company of Davenport, Iowa for construction work; and

WHEREAS, work on the project has been satisfactorily completed

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Davenport, Iowa: that the construction of classroom and administrative office spaces at the Davenport Public Library Main Street Branch is hereby accepted.

Passed and approved this 12th day of November, 2014.

Approved:

Attest:

William E. Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

City of Davenport

Committee: Finance Committee
Department: Administration
Contact Info: Craig Malin
Wards: All

Action / Date
FIN11/5/2014

Subject:

Resolution approving the purchase agreement for the acquisition of Parcel Number Y0639-19F also referred to as Jersey Farms 11th Addition and authorizing the City Administrator to sign the same. **This item will be acted upon during a Special City Council meeting immediately following the Committee of the Whole meeting..**

Recommendation:

Approve the resolution.

Relationship to Goals:

Background:

As part of the Protecting and Connecting Neighborhoods plans developed in relation to the casino rezoning case REZ-1409, the City is acquiring 11 acres of property for future park development. The negotiated purchase price in lieu of condemnation is \$60,500 per acre, compared to recent land sales in the area of \$69,260 per acre for the Kahl Home property and \$75,000 per acre for the "River80" property.

The acquisition will be funded through the increasing taxbase of Northeast Davenport, with future park development expected to be funded, in part, through future grants of the Riverboat Development Authority.

ATTACHMENTS:

Type	Description
□ Cover Memo	Resolution
□ Cover Memo	Purchase Agreement

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Admin, Default	Approved	11/3/2014 - 12:29 PM
Finance Committee	Watson-Arnould, Kathe	Approved	11/3/2014 - 2:29 PM
City Clerk	Admin, Default	Approved	11/3/2014 - 2:34 PM

Resolution No. _____

Resolution offered by Alderman Justin:

RESOLVED by the City Council of the City of Davenport.

RESOLUTION approving purchase agreement with Town and Country Manor Development Corporation.

WHEREAS, it is advantageous for the City of Davenport to acquire land for open space and future park development in Northeast Davenport.

NOW, THEREFORE, BE IT RESOLVED, the attached purchase agreement with Town and Country Manor Development Corporation is hereby approved.

Approved:

Attest:

William Gluba, Mayor

Jackie E. Holecek, Deputy City Clerk

AGREEMENT FOR SALE OF REAL ESTATE
("Agreement")

PURCHASER: City of Davenport

SELLER: Town and Country Manor
Development Corp, an
Iowa Corporation

Phone No.: 563 326 7763

Phone No.: 563 3814088

THIS AGREEMENT IS DATED November ____, 2014.

The Purchaser agrees to purchase from the Seller and the Seller agrees to sell to the Purchaser the real estate commonly known as Jersey Farms 11th Addition, tax parcel ID Y0639-19F (the "Premises"), and being legally described as set forth on Exhibit A hereafter attached and incorporated herein by this reference, for the following sum:

\$669,493 (Six hundred sixty nine thousand four hundred ninety three dollars), said sum calculated at \$60,500 per acre by 11.066 acres) PLUS reimbursement of all legal and engineering costs accrued by Seller, provided such costs shall not exceed \$75,000 in total. Further, the ground is subject to preliminary assessment for the improvement of Veteran's Memorial Parkway. Purchaser shall take the ground subject to such assessment, with no offset in price therefor.

CONTINGENCIES: This Agreement is specifically subject to the following:

1. Within 5 business days after closing Seller shall dismiss its lawsuit against the City of Davenport, filed in the Iowa District Court of Scott County as number EQ 125064 with prejudice, and release any and all other claims, demands, or causes, if any, whatsoever Seller may have arising from the underlying actions of said case.

POSSESSION: Possession shall be at the time of closing.

CONDITION OF PREMISES: The parties agree that the purchase price reflects the condition of the Premises and Purchaser acknowledges that he has inspected the real estate and the improvements thereof, he is acquainted with the condition thereof and he accepts the same in:

"As-is" condition.

EVIDENCE OF TITLE: Within a reasonable time, Seller shall deliver one of the following to Purchaser as evidence of Seller's title: a merchantable abstract of title showing merchantable title of record to the real estate in Seller and certified to a current date, by an abstractor regularly doing business in the county where the Premises are located.

If title evidence discloses exceptions other than those permitted under rules for examination for abstracts of title adopted by the local Bar Association, Purchaser or Purchaser's attorney shall give written notice of such exceptions to Seller within a reasonable time. Seller shall have a reasonable time to have such title exceptions removed, or, such exception which may be removed by the payment of money may be cured by deduction from the purchase price at the time of closing. If Seller is unable to cure such exception, then Purchaser shall have the option to terminate this agreement in which case Purchaser shall be entitled to a refund of the earnest money. Furnishing a title insurance policy insuring over an exception shall constitute a cure of such exception.

CONVEYANCE OF TITLE AND DOCUMENTS OF SALE: At closing Seller shall deliver a warranty deed or fiduciary's deed, if applicable, to Purchaser, conveying title together with such other documents as may be required to record the deed. All parties agree to comply with the provisions of the Real Estate Settlement Procedures Act of 1974 (RESPA).

PRORATIONS AND ADJUSTMENTS: The following items shall be prorated at closing as of the date of delivery of possession:

Prorations:

- (a) Real estate taxes, based on the most recent tax information available, which, in the absence of fraud, shall be final;

EXPENSES OF TRANSFER:

Purchaser shall pay all expenses of closing, which shall include:

- (a) Cost of Seller's abstracting
- (b) Revenue stamps if any
- (c) Recording fee for deed and mortgage;
- (d) Cost of Purchaser's abstracting.
- (e) Seller's attorney's fees

DEFAULT: If Purchaser fails to make any payment or to perform any obligation imposed upon him by this agreement, Seller may serve written notice of default upon Purchaser and if such specified default is not corrected within ten (10) days thereafter, Seller, subject to the terms of any listing agreement, may accept the earnest money and any additional down payment as damages or may pursue any available legal remedy including specific performance. In the event Seller fails to perform any obligation imposed upon him by this agreement, Purchaser may serve written notice of default upon Seller and if such default is not corrected within ten (10) days thereafter, earnest money and any additional down payment deposit shall be refunded to Purchaser without prejudicing the Purchaser's right to any available legal remedy including specific performance. In the event of default the defaulting party shall be liable to the other party for reasonable attorney fees and expenses incurred by reason of the default.

CASUALTY CLAUSE: Seller shall keep adequate insurance, including fire and other extended coverage, on improvements on the Premises until title has passed to Purchaser or possession is delivered to Purchaser, whichever first occurs. Purchaser shall be responsible for insurance coverage upon taking title or possession of the Premises, whichever first occurs.

CLOSING: Closing on the property shall be on or before December, 10, 2014.

CONDEMNATION: The parties agree that Purchaser has the statutory authority to acquire this parcel by condemnation. This sales agreement is entered into in lieu of such condemnation, and with the understanding that this sale complies with Section 1033 of the Federal Internal Revenue Code and the tax deferral provisions thereof.

ENTIRE AGREEMENT: THIS AGREEMENT INCLUDES ALL OF THE PROVISIONS, TERMS AND OBLIGATIONS PRINTED ABOVE. This agreement, when executed by the parties, constitutes the entire agreement between the parties and there are no oral representations, warranties, or covenants other than those set forth herein and on any riders attached hereto and made a part hereof and this agreement shall extend to and be binding upon the heirs, executors, administrators

and assigns of the respective parties hereto.

LEGAL ASSISTANCE: The Seller and Purchaser are aware that when fully signed, this is a legally binding agreement for the sale and purchase of real estate and that in order to protect their interests in connection with contractual, title and other aspects of this transaction, they have the right to consult an attorney before this agreement is signed.

EXECUTION BY PURCHASER:

Purchaser is an Iowa municipal corporation. Signature below shall be evidence that the Davenport City council has considered and approved the terms of this Agreement, and has authorized the signing of this Agreement, and intends to be bound by its terms.

Executed by Purchaser:

Executed by Seller:

By: _____
Date _____
Name: _____
Title: _____

By: _____
Date _____
Name: _____
Title: _____

City of Davenport

Committee: Finance Committee
Department: Administration
Contact Info: Jennifer Nahra - 326-6151
Wards: All

Action / Date
FIN11/5/2014

Subject:
Motion approving policies and terms of use related to Davenporttoday web site.

Recommendation:
Adopt the motion.

Relationship to Goals:

Background:
The revolution of mobile communications technology has elevated citizen expectations for instant, transparent communications. Building on the City's award-winning efforts in open governance and information technology, the Council approved an initiative to build and staff a contemporary communications platform. This platform will be known as "Davenporttoday and is expected to "go live" on November 14.

In advance of the "go live" date, the Council should adopt policies for this initiative. The attached terms of use represent best legal practice for such websites, while the attached policies strive to clearly separate the City's communications platform from practices more appropriate to private sector media outlets. Paid private advertisements are prohibited.

The policies, in total, are intended to guide the Davenporttoday platform toward open, civil, attributed community dialogue similar to rules which guide Council meetings. Hence, just like at Council meetings, offensive language, name calling, and speech threatening violence or intimidation will first result in warnings and ultimately result in removal if the behavior continues.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Davenporttoday Policies/Terms of Use

REVIEWERS:

Department	Reviewer	Action	Date
Administration	Admin, Default	Approved	11/3/2014 - 12:17 PM
Finance Committee	Watson-Arnould, Kathe	Approved	11/3/2014 - 2:29 PM
City Clerk	Admin, Default	Approved	11/3/2014 - 2:33 PM

City of Davenport

Committee: Finance

Department: Finance

Contact Info: ~~Jennifer Nahra — 326-6151~~ Craig Malin — 326-6139

Ward: All

—Action / Date

FC ~~11/05~~06/1804/14

Subject:

~~MOTION approving policies and terms of use related to Davenporttoday web site authorizing the Mayor City Administrator to sign amendment to joint negotiate development agreement with Scott County Casino, LLCs for City Council review with applicable parties to establish Scott County Casino, LLC is responsible for construction of the extension of d Elmore Drive Avenue.~~

Recommendation:

~~Adopt~~ Adopt the motion.

Background:

~~The revolution of mobile communications technology has elevated citizen expectations for instant, transparent communications. Building on the City's award winning efforts in open governance and information technology, the Council approved an initiative to build and staff a contemporary communications platform. This platform will be known as "Davenporttoday and is expected to "go live" on November 14.~~

~~In advance of the "go live" date, the Council should adopt policies for this initiative. The attached terms of use represent best legal practice for such websites, while the attached policies strive to clearly separate the City's communications platform from practices more appropriate to private sector media outlets. Paid private advertisements are prohibited.~~

~~The policies, in total, are intended to guide the Davenporttoday platform toward open, civil, attributed community dialogue similar to rules which guide Council meetings. Hence, just like at Council meetings, offensive language, name calling, and speech threatening violence or intimidation will first result in warnings and ultimately result in removal if the behavior continues. At a June 2 Council Worksession, options for extending Elmore Drive Avenue were reviewed. An option to enter into a development agreement with Scott County Casino to build the road was favored, and the City Council approved a motion to negotiate a development agreement to extend Elmore Avenue on June 11.~~

~~The attached amendment to the joint development agreement with Scott County Casino establishes responsibility for extending the road to Scott County Casino.~~

The general parameters of the agreements include:

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~~Scott County Casino is responsible for extending Elmore Drive from its northern terminus to Jersey Ridge Road by November 1, 2015.~~

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~~The road extension will be financed and built by Scott County Casino. It will meet design and construction standards approved by the City.~~

~~Upon completion and final inspection, the City will purchase the road, pursuant to certified costs including administration and overhead fees not to exceed 5% of certified costs, through issuance of bonds.~~

~~Scott County Casino will amend its current development agrees to agreement with the City to move the 0.4% "casino improvement district" funds referenced in the joint development agreement forward to commence in 2015 the first year of land-based casino operation and run for seven years thereafter.~~

~~The City will create a tax increment finance district in the I 80/I 74 urban renewal area to insure ensure the urban renewal area pays the full cost of the Elmore extension. D~~

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~~Developers of retail properties within the I 80/I 74 urban renewal area will provide aggregate information regarding sales tax revenue for all new projects within the I 80/I 74 urban renewal district until bonds issued for purchase of the road are retired.~~

Davenporttoday Policies & Terms of Use

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Advertisement / Event Promotions

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Paid advertisements are not permitted.

City staff may reference Davenport businesses in business information, growth and retention features.

Advance promotion of regional or Davenport events staged by local governments or local non-profit organizations are permissible.

Advance promotion of any political campaign event, debate, meeting or speech for any level of government is not permitted, nor are advance promotions for any event, debate, meeting or speech which are related to political campaigns. However, City staff may post basic, non-partisan information, including photos, related to Presidential campaign stops.

Citizen Contributors

All Davenport citizens are welcome to submit information for posting. They may submit information for a feature or may initiate or participate in a Davenporttoday conversation.

All citizen postings must include a first name, last name, city of residence, current e-mail address and phone number for confirmation. Citizen postings on Davenporttoday will include the first and last name and city in which the resident resides (i.e. John Smith, Davenport).

Davenporttoday is not intended as an unrestricted “public forum” as that term is used in First Amendment jurisprudence, and the City reserves the right to limit or totally eliminate access to the site in its sole discretion on the basis of content or otherwise.

Conversations

Davenporttoday welcomes citizen dialogue on its “Conversations” page.

Conversations may be proposed by citizens of Davenport. Active conversations will be posted for comment not longer than seven days in a row (excepting City holidays), and citizens may have one conversation current at any one time.

Proposed conversations must begin with a posting of at least 10 words. The heading for each active conversation will be created by City staff not later than the next business day following submission. Proposed conversations regarding state or federal elected officials or policies will not be activated as an active conversation. Proposed conversations consistent with civility standards regarding local elected officials are welcome. However, conversations regarding local elected officials will not be activated from the day ballot nominations are available for distribution through the date of the respective election.

Conversation postings which are untrue, advance a false implication or violate civility standards may be withdrawn from the site.

Davenporttoday is not intended as an unrestricted “public forum” as that term is used in First Amendment jurisprudence, and the City reserves the right to limit or totally eliminate access to the site in its sole discretion on the basis of content or otherwise.

Civility Standards

No offensive language, name calling or speech threatening violence or intimidation will be allowed. Contributors who use offensive language, name call or engage in speech threatening violence or intimidation will have their posting removed and will receive a warning. After two such warnings, their ability to post will be suspended for one year.

TERMS OF USE

The City of Davenport provides the Davenporttoday site as a service to the public. The information and documents available at this Web site are provided on an "As Is" and "As Available" basis and without warranties or conditions of any kind either express or implied. By accessing or using this Web site, you agree to these terms of use. The City of Davenport may change the terms of use at any time at its sole discretion and without notice.

The terms of use provide visitors and organizations with information regarding the use of data, information and images (files) found on the Davenporttoday Web site. The terms of use apply to the Davenporttoday Web site and any file storage facility used by the Davenporttoday Web site. Occasionally you will find links to Web sites outside of the Davenporttoday Web site. These Web sites are not under the control of the City of Davenport. The City of Davenport provides these links as a convenience and the inclusion of these links does not mean that the City of Davenport endorses, warrants or accepts responsibility for the content or uses of such Web sites. Therefore, if you access a non- Davenporttoday Web site, you do so at your own risk and the City of Davenport is not responsible for the accuracy, currency, and completeness of the information or reliability of services available at such Web sites.

Visitors to the Davenporttoday Web site shall not collect files, in part or in full, in order to replicate the Davenporttoday Web site and the services provided on authorized Internet Service Providers outside of the Davenporttoday Web site.

COPYRIGHT

Many of the Davenporttoday Web site service areas provide propriety data, information and images that are copyrighted and protected by law. Prior to use of this copyrighted material, written permission must be obtained from the owner of the copyright.

TRADEMARK

The City of Davenport is the owner of its trademarked logos throughout the Web site and these trademarks are protected by law. Trademarks may not be reproduced without the prior written permission the City of Davenport.

FILE MODIFICATION

Expressed permission to use files from the Davenporttoday site is granted for only personal use. Changes or modifications to these files including the addition of third party content cannot take place without the prior written permission of the City of Davenport. All credits, notices, copyrights and trademarks must remain intact with the file(s).

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Presentation of the data, information and images must appear in the original context of its presentation within Davenporttoday. Regrouping, resizing, cropping deletion, or framing of a portion of the file cannot occur without prior written permission from the City of Davenport.

LINKS

The City of Davenport grants permission for Web sites to link to the home page of Davenporttoday Web site or to any page within. Links should be checked regularly in case a file or directory has changed or been moved since the link was created. Creating a link to the Davenporttoday Web site does not constitute an agreement for a reciprocal link to be placed on the Davenporttoday site.

FILE INTEGRITY

The City of Davenport is not liable for downloaded files. The download, maintenance, and use of these files are the responsibility of the site visitor. Occasionally, site files are deleted or moved or archived. Replacement of the file(s) is the responsibility of the visitor. Administrators of web sites, outside of the Davenporttoday Web site, are encouraged to occasionally check links to our site to make sure the links are active.

While the City of Davenport strives for accurate information, occasionally information may be reported that is inaccurate. The City of Davenport is not liable for inaccurate or incomplete information found or used by the visitor to the Davenporttoday Web site.

PRIVACY POLICY

This policy is to inform visitors to the Davenporttoday Web site of its data gathering methods and use of such data. Our site collects many types of data throughout its Web site and the degree to which this data is used will be specified below. The City of Davenport may change this policy at any time at its sole discretion and without notice.

LOGS AND ACTIVITY REPORTS

The Davenporttoday Web site collects data each time a visitor enters the site or moves from one page to the next within the site. This information is used to gather statistics about visitors as a whole and in no way points to individuals. Personal information is not gathered in the Davenporttoday Web site log files. The information gathered falls into these categories:

1. Time of day.
2. Day of the week.
3. Which URL was visited prior to coming to the site.
4. Which file you are viewing at the site.
5. What browser and version of browser you use.
6. Which Operating System you use.

The above information is processed and analyzed to keep our Web site up to industry standards. Portions of the Website's design and functionality are influenced by the data collected.

COLLECTION AND USE OF INFORMATION

The Davenporttoday Web site does not sell or lease personal information. Information submitted to our Web site may be subject to Iowa Open Records law. Information about Iowa Open Records law is available from the Office of the Iowa Attorney General.

For more information regarding specific Davenporttoday Web pages or Web applications, contact the Communications Office at Davenporttoday@ci.davenport.ia.us or call 563-326-6151.

The Davenporttoday Web site may be required by law enforcement or judicial authorities to provide personally identifiable information to the appropriate governmental authorities. We reserve the right to report to law enforcement agencies any activities that we believe to be unlawful.

COOKIES

Cookies are small text files that are stored on the visitor's hard drive in order to place certain information regarding the transaction. A session ID, along with time date and other information may be gathered. In order for the transaction to take place, cookies must be enabled by your browser.

The Davenporttoday Web site uses cookies in some of its online services. Visitors to the Web site will be informed of when and where these cookies are present.

Add "Stock": Privacy, Disclaimer, and By Using This Site You Are Agreeing to This Data Usage And Gathering.

AMENDMENT TO

JOINT DEVELOPMENT AGREEMENT

THIS AMENDMENT TO JOINT DEVELOPMENT AGREEMENT is entered into by and between the City of Davenport (the "City"), Rhythm City Casino, LLC ("RCC" and as assignee of Scott County Casino, LLC) and the Riverboat Development Authority ("RDA") as of this ____ day of _____, 2014.

WHEREAS, the parties previously entered into a Joint Development Agreement dated December 2, 2013 (the "Development Agreement");

WHEREAS, RCC has a purchase agreement to acquire approximately forty (40) acres of real estate at the southwest corner of Interstates 74 and 80, upon which RCC intends to develop the Casino

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~~Complex (the "Casino Real Estate" and together with the real estate related to the Road Extension, the "Real Estate"); and,~~

~~WHEREAS, the parties desire to amend the Development Agreement to provide for the construction of the extension of Elmore Avenue from its current end point, past the Casino Real Estate and continuing it to Jersey Ridge Road and related improvements, including but not limited to sewers and other storm water management, utilities, signaling and signage (the "Road Extension");~~

~~NOW, THEREFORE, in consideration of the obligations expressed herein which the parties acknowledge are adequate, the parties agree as follows:~~

~~1. The Parties agree that the following new section be added to the Development Agreement:~~

~~"5.5. Extension of Elmore Avenue.~~

~~(a) Acquisition, Design and Construction of Elmore Extension. Subject to the conditions set forth in this Agreement, RCC agrees to design and construct the Road Extension. The Road Extension shall be designed and constructed in substantial compliance with the City's engineering standards. Subject to force majeure, RCC will commence construction of the Road Extension no later than October 31, 2014.~~

~~(b) City's Acquisition Obligations. Upon substantial completion of the Road Extension, RCC shall deliver to the City a certified statement detailing the costs incurred by RCC in the design, development and construction of the Road Extension and the grading and utility work related to the Real Estate (the "Development Costs"). The City agrees, that within 90 days of its receipt of the certified Development Costs from RCC, but not earlier than July 1, 2015, it will acquire the Road Extension from RCC for the amount of the certified Development Costs. The certified Development Costs shall include, but not be limited to, costs relating to the following:~~

- ~~(i) Design and engineering fees;~~
- ~~(ii) Costs incurred in obtaining the Road Extension ROW and any other necessary property rights;~~
- ~~(iii) Grading and utility work and extensions relating to the Real Estate;~~
- ~~(iv) Construction of the Road Extension;~~
- ~~(v) Interest expense incurred by RCC for funds borrowed to pay Development Costs through the date of payment by the City;~~
- ~~(vi) A fee for managing the design, development and construction of the Road Extension of up to 5% of the overall Development Costs.~~

~~Concurrent with payment by the City, RCC agrees to provide to the City such transfer or conveyance documents as the City reasonably requests in order to convey all of RCC's interests and rights in the Road Extension, along with any assignable warranties from contractors utilized by RCC in the design, development and construction of the Road Extension. The City agrees that it does and will accept the Road Extension "as is" and "with all faults," agrees that RCC does not represent, warrant or guaranty any aspect of the design, development or construction of the Roadway Extension and that any such warranty, express or implied, is waived by the City in its entirety.~~

~~(c) Road Extension ROW. The City will obtain and provide to RCC, in a timely manner, the necessary rights of way and other property rights necessary for the Road Extension, including any temporary construction easements. In the event the City is obligated to acquire the necessary rights of way, RCC will advance such cost, subject to reimbursement as provided under (b) above.~~

~~2. The parties agree that Section 4(iii) of the Development Agreement is amended to provide that the four tenths percent (.4%) of Adjusted Net Gaming Win will be payable from RCC to the City commencing upon the opening of the Casino Complex and will be payable for a period of seven years thereafter.~~

~~3. Except as expressly set forth above, the text of the Development Agreement shall remain unchanged and in full force and effect and the Parties hereby ratify and confirm their obligations thereunder.~~

~~IN WITNESS WHEREOF, this Addendum is entered into on the date first set forth above.~~

~~_____
William Gluba _____ date Jackie Holoccek _____ date~~

~~_____
Mayor, City of Davenport _____ Deputy City Clerk, City of Davenport~~

~~_____
Dan Kehl _____ date~~

~~_____
Scott County Casino, LLC~~

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City of Davenport

Committee: Finance Committee
Department: CPED
Contact Info: Bruce Berger, 326, 7769
Wards: All Wards

Action / Date
11/5/2014

Subject:

Motion approving submission of the City of Davenport's Annual Urban Renewal Report.

Recommendation:

Approve the motion.

Relationship to Goals:

Added emphasis on economic development.

Background:

As part of the requirements stemming from 2012 State of Iowa legislative action regarding tax increment financing (TIF), all Iowa cities and counties utilizing TIF are required to report TIF expenditures and obligations into the Iowa Department of Management's online Annual Urban Renewal Report annually by December 1st. This report looks at the most recent fiscal year ending June 30, 2014.

The City of Davenport has been a fiscally responsible administrator of TIF financing. This is evidenced by the Iowa Legislative Services Agency FY 2012 Annual Urban Renewal Report that detailed cities use of TIF funds. Even though Davenport is the 3rd largest community in the state it did not rank in the top 10 for total TIF debt reported.

As part of this system the City Council must approve submission of the report. Costs associated with the City's TIF are approved by the City Council as part of the overall budget.

The Levy Authority Summary sheet is attached.

ATTACHMENTS:

Type	Description
▣ Cover Memo	Levy Authority Summary Sheet

REVIEWERS:

Department	Reviewer	Action	Date
Community Planning & Economic Development	Admin, Default	Approved	10/29/2014 - 9:52 AM
Community Development Committee	Admin, Default	Approved	10/29/2014 - 3:24 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/29/2014 - 3:30 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 2:54 PM

Annual Urban Renewal Report, Fiscal Year 2013 - 2014

Levy Authority Summary

Local Government Name: DAVENPORT
Local Government Number: 82G773

Active Urban Renewal Areas	U.R. #	# of Tif Taxing Districts
DAVENPORT DOWNTOWN URBAN RENEWAL	82003	6
DAVENPORT WEST INDUSTRIAL URBAN RENEWAL	82005	4
DAVENPORT 53RD I-74 URBAN RENEWAL	82007	8
DAVENPORT NORTH URBAN RENEWAL	82013	14
DAVENPORT TRI-CITY FABRICATING URBAN RENEWAL	82026	1
DAVENPORT EIIC URBAN RENEWAL	82038	1
HILLTOP URBAN RENEWAL AREA	82053	3
DAVENPORT WEST CENTRAL PARK URBAN RENEWAL	82991	1
DAVENPORT SOUTH URBAN RENEWAL	82992	2

TIF Debt Outstanding: 34,927,467

TIF Sp. Rev. Fund Cash Balance as of 07-01-2013:	2,380,486	0	Amount of 07-01-2013 Cash Balance Restricted for LMI
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TIF Revenue:	4,542,324
TIF Sp. Revenue Fund Interest:	7,776
Asset Sales & Loan Repayments:	146,615
Total Revenue:	4,696,715

Rebate Expenditures:	1,000,456
Non-Rebate Expenditures:	2,846,974
Returned to County Treasurer:	0
Total Expenditures:	3,847,430

TIF Sp. Rev. Fund Cash Balance as of 06-30-2014:	3,229,771	0	Amount of 06-30-2014 Cash Balance Restricted for LMI
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Year-End Outstanding TIF
Obligations, Net of TIF Special
Revenue Fund Balance: 27,850,266

City of Davenport

Committee: Finance
Department: Public Works
Contact Info: Jon Meeks
Wards: All

Action / Date
FIN11/5/2014

Subject:

MOTION awarding the purchase of a utility vehicle (Tool Cat) to Rexco Equipment of Davenport, IA in the amount of \$52,290.96.

Recommendation:

Award the purchase.

Relationship to Goals:

Financial accountability.

Background:

Request for proposals were issued on June 20, 2014 to 58 vendors. Electronic proposals were opened on July 10, 2014. Purchasing received and opened one proposal.

The proposals were evaluated on the following criteria: Operation – 30%, Cost – 25%, Service – 20%, Conformation to specifications and requirements – 15% and Experience/Background of Vendor – 10%.

The utility vehicle will be used to maintain creek banks, Native plant mowing, repairing damage from stormwater run-off, as well as new projects that can be completed with utilizing staff in-house. The attachments will include the road package, landscape rake, Brushcat, bucket with bolt-on cutting edge, and bolt-on teeth.

Funding for this purchase is from account number 51251980-530303 with an available budget of \$55,500. The source of funding for this account is from sewer fees.

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	10/30/2014 - 3:37 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/30/2014 - 3:38 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 3:38 PM

City of Davenport

Committee: Finance
Department: Finance
Contact Info: Kristi Keller 888-2077
Wards: All

Action / Date
FIN11/5/2014

Subject:

Duke's Root Control, Inc. - Root control chemicals for sanitary sewer lines - Amount: \$43,570

Hydraulic Mudpumps, Inc. - Used mudjacking equipment - Amount: \$31,748

W.F. Scott Decorating, Inc. - Painting skywalk over East Third Street - Amount: \$21,000

Martin Equipment of IA-IL - Snow plow blades - Amount: \$11,932

Recommendation:

Relationship to Goals:

Background:

REVIEWERS:

Department	Reviewer	Action	Date
Finance	Watson-Arnould, Kathe	Approved	10/30/2014 - 12:21 PM
Finance Committee	Watson-Arnould, Kathe	Approved	10/30/2014 - 12:21 PM
City Clerk	Admin, Default	Approved	10/30/2014 - 1:49 PM